



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Kingman Field Office
2755 Mission Boulevard
Kingman, Arizona 86401
www.az.blm.gov



February 10, 2010

In Reply Refer To:
2800 (LLAZC010000)
AZA-31733

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Dear Reader:

The Bureau of Land Management has completed the environmental analysis (EA) and made a decision regarding the proposed Arizona Game and Fish Department (AGFD) Mohave Valley Shooting Range application AZA 31733 in T. 19 N., R. 21 W. and associated Resource Management Plan Amendment. Enclosed is a copy of the Decision Record, Finding of No Significant Impact, and EA. Additional copies may be obtained online at www.blm.gov/az or from the BLM Kingman Field Office by calling (928) 718-3700.

Issuance of a patent under the Recreation and Public Purpose Act to dispose of public land described in the Decision Record is pending the thirty (30) day appeal period and completion of pre-construction requirements described in the Decision Record.

Sincerely,

/s/ Ruben A. Sánchez

Ruben A. Sánchez
Field Manager

Enclosures

Addressees: Mr. Wilfred Whatoname Sr. (Cert #9048 3254)
Ms. Loretta Jackson-Kelly (Cert #9048 3247)
Mr. Timothy Williams (Cert #9048 3155)
Ms. Linda Otero (Cert #9048 3230)
Mr. Bob Posey (Cert #9048 3179)
Mr. Larry Voyles (Cert #9048 3162)
Mr. Pat Otto (Cert #9048 3186)
Mr. John L. Nau (Cert #9048 3209)
Mr. Jim Garrison (Cert #9048 3193)
Ms. Shirley Montgomery (Cert #9048 3216)
V. E. Greer (Cert #9048 3223)
Broadwing Communications, LLC
Arizona Dept of Environmental Quality
Mr. Larry Adams
Arizona State Land Dept
Honorable Trent Franks
Honorable John McCain
Honorable Jon Kyle
Arizona Dept of Transportation
Mr. Steve Thomas
Mr. Richard Moorhead

DECISION RECORD

MOHAVE VALLEY SHOOTING RANGE ENVIRONMENTAL ASSESSMENT/PLAN AMENDMENT

EA-AZ-030-2002-0057

AZA-31733

This Decision Record has been prepared using information from the Proposed Resource Management Plan (RMP) Amendment and Recreation and Public Purpose (R&PP) Act Disposal Finding of No Significant Impact (FONSI) and Environmental Assessment (EA) for the Mohave Valley Shooting Range (EA-AZ-030-2002-0057). A FONSI was signed on June 12, 2006. However, Section 106 consultation as required under the Natural Historic Preservation Act of 1966 continued after that date in order to complete the Section 106 process. Therefore, the FONSI of June 12, 2006 is hereby revoked and is replaced by the FONSI attached, signed on February 8, 2010.

Two decisions pursuant to the proposed R&PP disposal are contained in this record: 1) the amendment of the Kingman Resource Management Plan and 2) the disposal of public land under the Recreation and Public Purpose Act.

1. Decision to Amend the Kingman Resource Management Plan (Kingman RMP)

The Kingman RMP is amended to change the following described public lands from retention to available for disposal, subject to the mitigation measures found in the EA and Decision 2A below, through the Recreation and Public Purpose Act to the Arizona Game and Fish Department (AGFD) for a shooting range:

Gila and Salt River Meridian, Arizona

T. 19 N., R. 21 W.,

Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 36, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

Consisting of approximately 315 acres more or less.

In addition, the following described public lands have been designated for special management under a Cooperative Management Agreement with the AGFD as a safety buffer where uses would be limited to those compatible with safe operation of the shooting range:

Gila and Salt River Meridian, Arizona

T. 19 N., R. 21 W.,

Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$.

Containing approximately 470 acres, more or less.

Information pertaining to this amendment is found in the Finding of No Significant Impact and Environmental Assessment. This decision is not appealable according to the regulations found at 43 CFR 1610.5-2(b). A 30 day period was open from June 21, 2006 to July 21, 2006 to receive protests on the proposal to amend the Kingman RMP. There were two objections filed during this time period, both of which were general in nature and did not provide a statement of specific issues being protested, did not provide a statement of the part of the plan amendment being protested, and did not provide a statement explaining why the State Director's proposed plan amendment was believed to be wrong. Consequently, the objections were dismissed by the Director of BLM.

Approved by:

/s/ James G. Kenna

James G. Kenna, State Director

February 10, 2010

Date

2. Decision to dispose of public lands for a shooting range at the Boundary Cone Road location

I have determined the following described public lands may be conveyed under the Recreation and Public Purpose Act (R&PPA) to the AGFD for a shooting range:

Gila and Salt River Meridian, Arizona

T. 19 N., R. 21 W.,

Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 36, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,

S¹/₂N¹/₂NW¹/₄, S¹/₂NW¹/₄, N¹/₂NE¹/₄NW¹/₄SW¹/₄,
NW¹/₄NW¹/₄SW¹/₄.

Consisting of approximately 315 acres more or less.

The purchase price, authorized by the R&PPA special pricing schedule, is \$3150.00.

A. Prior to development, the AGFD will provide a detailed Plan of Development (POD) to all interested parties that includes the proposed action as described in the EA, visual simulations of the proposed shooting range from key observation points (such as the base of Boundary Cone Butte), engineering drawings of the proposed facility, including dimensions, access, drainage, fencing and other pertinent information and the mitigation measures listed below. The POD must be approved by the BLM prior to surface disturbing activities.

The AGFD will be responsible for implementing the following mitigation measures:

1. Burrowing owl and chuckwalla: These species will be relocated to appropriate habitat outside of the project area if it is determined that an individual of either species would be destroyed or the burrow of a burrowing owl would be disturbed or destroyed by project implementation. If required, the owls will be removed from the burrow and the burrow collapsed to prevent owl reentry.
2. The FMIT has stated they do not believe there are measures that could be taken to completely mitigate the adverse effects of the proposed shooting range on the spiritual values assigned to Boundary Cone Butte. However, the FMIT did identify the following specific conditions and attributes that were of particular concern: 1) noise associated with the use of the range, 2) restrictions or closure of the range during ceremonies taking place in the area, 3) size of the footprint of disturbance and, 4) protection of a "cleared circle" feature previously identified in the area of the proposed shooting range.

The BLM, in recognition of the FMIT's continued use of Boundary Cone Butte and the surrounding area in traditional cultural practices, will require the AGFD to incorporate the following measures into the Plan of Development to address the particular concerns cited above:

- a. The AGFD will limit the "footprint", or area of ground disturbance, to no more than 20 (twenty) acres and there will be no surface occupancy on the remaining 295 acres of the patented land. If AGFD determines a need to expand the range to meet future demand, a new Plan of Development will be provided to all interested parties per normal BLM procedures for a new

undertaking. A future expansion of the shooting range would be considered a new undertaking by the BLM, and would require compliance with all applicable statutes and regulations, including NEPA, Section 106 of the National Historic Preservation Act, and would require additional consultation with tribes, the public, and other concerned parties.

- b. The AGFD will monitor noise levels, through a third party consultant, and submit a report annually to ensure that levels remain below the State noise standards for shooting range facilities. A copy of the report will be provided to the FMIT and the BLM by the AGFD upon completion. Berms and backstops will be designed to optimize noise reduction within the surrounding environment.
- c.
 - 1) Hours of operation for the shooting range will typically be between 7 am and 10 pm, 7 days a week. The AGFD will restrict operating hours or close the range (for no more than 30 days annually) during established events identified by the FMIT to reduce possible conflict with tribal practice of traditional cultural activities associated with Boundary Cone Butte. One day equals one day or portion thereof, of a 7 am to 10 pm operation day. Closure of the range will be for no more than three (3) consecutive days except by agreement between both parties. The AGFD will coordinate annually with the FMIT to identify and create a calendar of specific dates when the shooting range would be closed. If prior identification of such dates is not possible, the following, part 2), would be implemented.
 - 2) The AGFD and FMIT will diligently work to establish a process to accommodate unanticipated events that warrant closure of the range. This will include a timeframe for prior notification (72 hour minimum), points of contact, methods of contact, and conditions that would warrant exceeding the 30 days annually, etc. If a notification process cannot be established after due diligence, no closure would occur except as established under part 1) above.
- d. The previously identified "cleared circle" feature will be fenced or otherwise avoided and an existing access road closed to prevent public access and disturbance, providing for a minimum of 250' diameter of undisturbed surface around the feature, as measured from the center of the feature. The patented land perimeter fence, "cleared circle" feature buffer perimeter fence, and the shooting range buffer perimeter fence will be installed prior to any construction activity taking place and will remain in place during the life of the shooting range. BLM personnel will be present during fencing of the "cleared circle" feature to verify the size and location of the specified buffer, and to ensure that fencing activities do not

adversely affect the feature. The AGFD will be responsible for maintenance of all fences.

3. The AGFD will coordinate with the concerned tribes to provide interpretation opportunities, such as kiosks, pamphlets, etc., at the shooting range. Any such educational materials will be provided to educate the public about the tribes, the Mohave Valley, the Colorado River, Boundary Cone Butte, etc.
4. The AGFD will hold an annual face-to-face meeting with the concerned tribes and the BLM. The AGFD will provide a status update, coordinate a calendar for known ceremonial closures, discuss annual noise testing, and other information about the shooting range.
5. The AGFD will coordinate with the FMIT to provide adequate shooting range access to tribal law enforcement personnel to complete and maintain firearms training and qualifications.

B. A Cooperative Management Agreement for the management of 470 acres to be used as a safety buffer described as follows will be required:

Gila and Salt River Meridian, Arizona

T. 19 N., R. 21 W.,

Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Containing approximately 470 acres, more or less.

C. Class III cultural resource survey for the buffer fence will be required.

D. Purchase of the mineral estate or a non-development agreement for the Santa Fe Railroad mineral estate in T. 19 N., R. 21 W., Sec. 25 and 35 (390 acres) by the AGFD will be required.

E. A signed indemnification statement will be required from the AGFD.

The patent to the lands will reserve to the United States:

1. A right-of-way thereon for ditches or canals constructed by the authority of the United States pursuant to the Act of August 30, 1890 (43 U.S.C. 945);
2. All Federal mineral deposits in the land so patented, and right of the United States, or persons authorized by the United States, to prospect for, mine, and remove such deposits from the same under

applicable laws and regulations as the Secretary of the Interior may prescribe.

The patent will be subject to the following:

1. Valid existing access road rights-of-way and easements.
2. Those rights for highway purposes, 100' wide, as have been granted to Mohave County, its successors or assigns, by Right-of-Way No. AZA-20911 pursuant to Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) as amended.
3. Those rights for electric power transmission line purposes, 20' wide, as have been granted to UniSource Electric Inc., its successors or assigns, by Right-of-Way No. AZA-24775 pursuant to Title V of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1761) as amended.
4. A reservation of all oil, gas, coal and minerals as appears of record in Deed 27015 dated June 30, 1945, recorded in Book 58 of Deeds, Pages 300-302 of the records of Mohave County, Arizona affecting lands in T. 19 N., R. 21 W., Sections 25 and 35.
5. The Arizona Game and Fish Department, its successor or assigns, shall comply with all Federal and State laws applicable to the disposal, placement, or release of hazardous substances (substance as defined in 40 CFR Part 302).
6. The Arizona Game and Fish Department, its successors or assigns, assumes all liability for and shall defend, indemnify, and save harmless the United States and its officers, agents, representatives and employees (hereinafter referred to in the clause as the United States), from all claims, loss, damage, actions, causes of action, expense, and liability (hereinafter referred to in this clause as claims) resulting from, brought for, or on account of, any personal injury, threat of personal injury, or property damage received or sustained by any person or persons including the patentee's employees) or property growing out of, occurring, or attributable directly or indirectly, to the disposal, placement, or release of hazardous substances, regardless of whether such claims shall be attributable to: (1) the concurrent, contributory, or partial fault, failure, or negligence of the United States, or (2) the sole fault, failure, or negligence of the United States.
7. The above described land has been conveyed for utilization as a shooting range. After such use the land may contain small quantities of hazardous waste as determined in the Resource Conservation and

Recovery Act of 1976, as amended (42 U.S.C. 6901), and defined in 40 CFR 261.4 and 261.5.

8. Provided, that the title shall revert to the United States upon a finding, after notice and opportunity for a hearing, that the patentee has not substantially developed the lands in accordance with the approved plan of development on or before the date five years after the date of conveyance.
9. The Secretary of the Interior may take action to revest title in the United States upon a finding, after notice and opportunity for a hearing, that without the approval of the authorized officer, the patentee has failed to follow the approved development plan or management plan.
10. No portion of the land shall under any circumstance revert to the United States if any such portion has been used for any purpose which may result in the disposal, placement, or release of any hazardous substance.
11. If, at any time, the patentee transfers to another party ownership of any portion of the land not used for the purpose(s) specified in the application and approved plan of development, the patentee shall pay the Bureau of Land Management the fair market value, as determined by the authorized officer, of the transferred portion as of the date of transfer, including the value of any improvements thereon.
12. The Secretary of the Interior may take action to revest title in the United States if the patentee directly or indirectly permits its agents, employees, contractors, or subcontractors (including without limitation lessees, sublessees, and permittees) to prohibit or restrict the use of any part of the patented land or any of the facilities thereon by any person because of such person's race, creed, sex, or national origin.

In addition to the above, the grant of the herein described land is subject to the following reservations, conditions and limitations:

1. The patentee and its successors or assigns in interest shall comply with and shall not violate any of the terms and conditions of Title VI of the Civil Rights Act of 1964 (78 Stat. 241), and requirements of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant thereto (43 CFR 17) for the period that the lands conveyed herein are for the purpose for which the grant was made pursuant to the act cited above, or for another purpose involving the provisions of similar services or benefits.

2. The United States shall have the right to seek judicial enforcement of the requirements of Title VI of the Civil Rights Act of 1964, and the terms and conditions of the regulations, as modified or amended, of the Secretary of the Interior issued pursuant to said Title VI, in the event of their violation by the patentee.
3. The patentee and its successors or assigns in interest will, upon request of the Secretary of the Interior or his delegate, post and maintain on the property conveyed by this document signs and posters bearing a legend concerning the applicability of Title VI of the Civil Rights Act of 1964 to the area of facility conveyed.
4. The reservations, conditions, and limitations contained in paragraphs (1) through (3) shall constitute a covenant running with the land, binding on the patentee and its successors or assigns in interest for the period for which the land described herein is used for the purpose for which this grant was made, or for another purpose involving the provision of similar services or benefits.
5. The assurances and covenant required by sections (1) through (4) above shall not apply to ultimate beneficiaries under the program for which this grant is made. "Ultimate beneficiaries" are identified in 43 CFR 17.12(h).

Rationale for Decision

Based on a Feasibility Study prepared by the AGFD there is a need for a multipurpose shooting range to promote safe hunting and shooting practices, provide the public with safe shooting areas, support the Hunter Education Program and encourage hunters to become more proficient with their equipment and provide law enforcement with a place to achieve and maintain firearm qualifications.

The shooting range would, upon full build-out, provide for a trap and skeet range, sporting clays range, a 500-yard police rifle range, practical pistol bays, a 200-yard public range, a 50-yard pistol range and an archery range.

Effective lead management practices would be implemented to ensure lead is contained on site while allowing for natural flow of water. There would be scheduled soil testing, inspection, and a lead recovery and recycling program.

All ranges would be constructed to meet the sound criteria defined in the Arizona Revised Statutes (ARS) 17-601 through 603 by use of impact berms.

All ranges would meet the National Rifle Association (NRA) guidelines for design, sound levels, and safety.

Use of water to reduce dust will be used as necessary. Equipment coming from areas known to have noxious weeds will be required to be washed prior to bringing them onsite.

The AGFD will conduct biological clearances and remove all desert tortoise, barrel cacti and ocotillo from the area prior to construction.

A shooting range in Mohave Valley would reduce the amount of wildcat shooting, and associated trash dumping, currently occurring on public land.

The BLM has completed the Section 106 process of the National Historic Preservation Act per regulations found at 36CFR800. Parties to this process included tribes, agencies, other stakeholders, the Arizona State Historic Preservation Office (SHPO) and the Advisory Council on Historic Preservation (ACHP).

Five historic and one prehistoric archaeological sites are present on the proposed location. All of these sites were determined to be “not eligible” for the National Register of Historic Places and this determination was concurred with by the Arizona SHPO. The sites were documented and recorded as required by BLM policy.

Boundary Cone Butte was identified as a property of cultural and religious significance to the Fort Mojave Indian Tribe and Hualapai Tribe. BLM determined the Butte to be eligible for inclusion on the National Register of Historic Places as a Traditional Cultural Property (TCP) and that the proposed action may have an adverse effect.

The BLM used an Alternative Dispute Resolution (ADR) process facilitated by the US Institute for Environmental Conflict Resolution (which involved the tribes, the applicant and other interested stakeholders) in an effort to resolve differences over Boundary Cone Butte and the effect of the proposed action. Tribes in the local area expressed their beliefs that the development of the proposed shooting range in the Mohave Valley would have a significant negative impact on their ability to conduct religious and cultural activities in the vicinity of Boundary Cone Butte. The BLM, the tribes, applicants and stakeholders spent considerable time and energy in attempting to find an alternative location that would be acceptable to the tribes, yet still meet the criteria and need for the shooting range.

During the ADR process, eighteen (18) possible locations were considered. Seventeen (17) locations were eliminated from further analysis for a variety of reasons including high concentrations of cultural resources, access issues, close proximity to private and State land, and the presence of sensitive wildlife habitat.

The Willow Road alternative was eliminated during consultation with the Advisory Council on Historic Preservation due to access issues across Tribal land and the presence of high densities of prehistoric cultural material

After several years of effort, no viable alternative was identified and the consulted tribes were unable to accept any alternative shooting range location within the Mohave Valley as suitable.

Due to the lack of agreement among the BLM, tribes, the Arizona SHPO and the ACHP on measures to mitigate impacts that may adversely affect the use of Boundary Cone Butte by tribal practitioners, the BLM initiated termination of the Section 106 with the ACHP. As part of the termination process, the ACHP has provided comments to the BLM.

The ACHP recommended the BLM not approve the application for a shooting range at the Boundary Cone Road location. They suggested looking at locations outside of the Mohave Valley. Locations outside the Valley do not meet one of the primary location criteria, which is to be within 20 miles and 30 minutes of the community of Bullhead City.

The ACHP also suggested the BLM consider a land exchange with the State of Arizona in order to obtain a parcel of state land in the project vicinity. The Arizona State Constitution does not allow for land exchanges between the State of Arizona and federal and private entities. A constitutional amendment would be required.

The ACHP also recommended reconsidering Site Number 1 in the northern part of the Mohave Valley. Site Number 1 was eliminated early in the ADR process for several reasons including being located within an Area of Critical Environmental Concern (ACEC) managed by the BLM to protect a high density of cultural resources and important species habitat.

The ACHP recommended that BLM consider giving the entire Mohave Valley a designation that would provide protection to the area. The BLM manages under a multiple-use mandate, and special area designations are one of the tools used to manage certain areas that meet well established criteria. National Landscape Conservation System (NLCS) units can only be established through Presidential Proclamation or an Act of Congress. Areas of Critical Environmental Concern (ACEC) are

special areas designated by the BLM through the land use planning process and must also meet certain criteria. The entire Mohave Valley, due to multiple jurisdictional concerns, did not qualify for ACEC consideration in a recently completed BLM Resource Management Plan.

In an effort to address the primary concerns expressed by tribal representatives over visual and sound issues and the location of the proposed shooting range in relation to Boundary Cone Butte, the BLM and the AGFD developed a set of standards and criteria to be applied to any facility that would be built. The BLM believes that by implementing these measures, the amount of noise and visual intrusion on the landscape will be greatly reduced.

The BLM has taken seriously the concerns expressed by the tribes as well as the ACHP. As a multiple-use land managing agency the BLM must weigh all concerns in making decisions affecting resources on public lands. The BLM has determined that through implementation of the proposed action described in the Environmental Assessment, visual and audible impacts will be significantly reduced.

Further consultation conducted during 2009 by BLM with the Fort Mojave Indian Tribe (FMIT) and the AGFD resulted in reconsideration of some alternatives that had been considered but not analyzed. A commitment of support from the FMIT could not be provided for any of the alternatives.

The FMIT inquired about further reducing disturbance by overlapping various ranges, however, this would pose a serious safety issue. While the patent would be issued for 315 acres, much of the area would be used as safety zones and left undisturbed and surface disturbance will be limited to 20 acres. If expansion over and above 20 acres is necessary, the AGFD would be required to submit a new Plan of Development and further evaluation will be needed. Additional mitigation to further reduce impacts to Native American religious concerns were identified and incorporated into the Final EA (see Decision 2A above).

Appeal Process

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (Kingman Field Office, 2755 Mission Blvd., Kingman, AZ 86401) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993), for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Approved by:

/s/ Ruben A. Sánchez
Ruben A. Sánchez, Field Manager
Kingman Field Office

February 10, 2010
Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

-
- 1. NOTICE OF APPEAL.....** A person served with the decision being appealed must transmit the notice of appeal in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a notice of appeal in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).
-
- 2. WHERE TO FILE NOTICE OF APPEAL.....** BUREAU OF LAND MANAGEMENT, KINGMAN FIELD OFFICE, 2755 MISSION BLVD., KINGMAN, AZ 86401
- WITH COPY TO SOLICITOR...** FIELD SOLICITOR, U.S. DEPARTMENT OF THE INTERIOR, SANDRA DAY O'CONNOR US COURTHOUSE, SUITE 404, 401 WEST WASHINGTON STREET, SPC 44, PHOENIX, AZ 85003-2151
-
- 3. STATEMENT OF REASONS** Within 30 days after filing the Notice of Appeal, File a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the Notice of Appeal, no additional statement is necessary (43 CFR 4.412 and 4.413).
- WITH COPY TO SOLICITOR.....** FIELD SOLICITOR, U.S. DEPARTMENT OF THE INTERIOR, SANDRA DAY O'CONNOR US COURTHOUSE, SUITE 404, 401 WEST WASHINGTON STREET, SPC 44, PHOENIX, AZ 85003-2151
-
- 4. ADVERSE PARTIES.....** Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the Notice of Appeal, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413). If the decision concerns the use and disposition of public lands, including land selections under the Alaska Native Claims Settlement Act, as amended, service will be made upon the Associated Solicitor, Division of Land and Water Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240. If the decision concerns the use and disposition of mineral resources, service will be made upon the Associated Solicitor, Division of Mineral Resources, Office of the Solicitor, U.S. Department of the Interior, Washington, D.C. 20240.
-
- 5. PROOF OF SERVICE.....** Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).
-
- 6. REQUEST FOR STAY.....** Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your notice of appeal (43 CFR 4.21 or 43 CFR 2804.1). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.
- Standards for Obtaining a Stay. Except as other provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, subpart b for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821—GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ——— Alaska
Arizona State Office ——— Arizona
California State Office ——— California
Colorado State Office ——— Colorado
Eastern States Office ——— Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ——— Idaho
Montana State Office ——— Montana, North Dakota and South Dakota
Nevada State Office ——— Nevada
New Mexico State Office — New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ——— Oregon and Washington
Utah State Office ——— Utah
Wyoming State Office ——— Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2005)

Finding of No Significant Impact
For
The Mohave Valley Shooting Range
Proposed Plan Amendment to the Kingman Resource Management Plan and
Recreation and Public Purposes Act Disposal and Environmental Assessment
(AZ-030-2002-057)

Introduction

The Bureau of Land Management (BLM), Kingman Field Office has analyzed a proposed Kingman Resource Management Plan amendment and proposed Recreation and Public Purposes Act disposal for a shooting range in Environmental Assessment (EA) AZ-030-2002-057.

Finding

The context of the impacts of the proposed plan amendment and the proposed shooting range is considered to be at the local level as opposed to regional or national level. During the process of preparing the EA, there were no issues or impacts at a regional or national level identified. The effects described in the EA are either specific to a site or occur in close proximity to the site.

When considering the intensity of both beneficial and adverse impacts in the long and short term, the following factors were analyzed:

The proposed plan amendment to allow for disposal of 315 acres at the Boundary Cone road location and to allow for modified management of 470 acres for a buffer, would not detract from the implementation of Resource Management Plan decisions such as for Visual Resource Management, desert tortoise habitat objectives, Cultural Resources, Lands, Minerals, or Recreation for this area. Management of the buffer site for public safety would not detract from the implementation of BLM's multiple use management for the area. The Kingman Field Office of the BLM manages approximately 2.7 million acres.

The proposed action would not directly affect any areas such as prime or unique farmlands, wetlands, historic sites, threatened or endangered species, wilderness areas, areas of critical environmental concern, or riparian areas.

Shooting is occurring on a random basis in Mohave Valley and the area of Boundary Cone Butte which is of religious importance to the Native Americans. The shooting range is expected to relocate some of the random shooting and not add to it.

Public health and safety would be beneficially impacted by provision of a safe environment for shooting. It is expected that random target shooting would

continue to occur but at a diminished rate as people take advantage of the shooting range opportunities.

The visual effects described in the Environmental Assessment are within the Resource Management Plan described objectives for the area.

The noise levels would increase in the area of the shooting range but would be within State standards. The noise levels would be further reduced below what is described in the EA since the proposed action calls for the construction of berms around the shooting range. Berms were not in place or factored into the noise analysis. Noise levels will be monitored annually by the AGFD to assure sound levels are below the state standard for shooting ranges.

The elements presented in the EA that would guide the operation of the shooting range were developed based on operation of other shooting ranges throughout the state of Arizona. These guidelines are meant to increase the safety of the range as well as minimize environmental harm.

The FMIT asserts that there will be significant negative impacts upon tribal spiritual values from this project. Throughout the consultation process there have been no specific impacts identified that could be subjected to detailed analyses or mitigation.

Further consultation conducted during 2009 by BLM with the FMIT and the AGFD resulted in reconsideration of some alternatives that had been considered but not analyzed, specifically Alternative 5 and locations north of Camp Mohave Road. A commitment of support from the FMIT could not be provided for any of the alternatives, however they identified four concerns of 1) noise associated with the use of the range, 2) restrictions or closure of the range during ceremonies taking place in the area, 3) size of the footprint of disturbance, and 4) protection of a "cleared circle" feature previously identified in the area of the proposed shooting range.

The BLM, in recognition of the FMIT's continued use of Boundary Cone Butte and the surrounding area in traditional cultural practices, will require the AGFD to incorporate the following measures into the Plan of Development to address the particular concerns cited above:

1. The AGFD will limit the "footprint", or area of ground disturbance, to no more than 20 (twenty) acres and there will be no surface occupancy on the remaining 295 acres of the patented land. If AGFD determines a need to expand the range to meet future demand, a new Plan of Development will be provided to all interested parties per normal BLM procedures for a new undertaking. A future expansion of the shooting range would be considered a new undertaking by the BLM, and would require compliance with all applicable statutes and regulations, including NEPA, Section 106 of the

National Historic Preservation Act, and would require additional consultation with tribes, the public, and other concerned parties.

2. The AGFD will monitor noise levels, through a third party consultant, and submit a report annually to ensure that levels remain below the State noise standards for shooting range facilities. A copy of the report will be provided to the FMIT and the BLM by the AGFD upon completion. Berms and backstops will be designed to optimize noise reduction within the surrounding environment.
3.
 - 1) Hours of operation for the shooting range will typically be between 7 am and 10 pm, 7 days a week. The AGFD will restrict operating hours or close the range (for no more than 30 days annually) during established events identified by the FMIT to reduce possible conflict with tribal practice of traditional cultural activities associated with Boundary Cone Butte. One day equals one day or portion thereof, of a 7 am to 10 pm operation day. Closure of the range will be for no more than three (3) consecutive days except by agreement between both parties. The AGFD will coordinate annually with the FMIT to identify and create a calendar of specific dates when the shooting range would be closed. If prior identification of such dates is not possible, the following, part 2), would be implemented.
 - 2) The AGFD and FMIT will diligently work to establish a process to accommodate unanticipated events that warrant closure of the range. This will include a timeframe for prior notification (72 hour minimum), points of contact, methods of contact, and conditions that would warrant exceeding the 30 days annually, etc. If a notification process cannot be established after due diligence, no closure would occur except as established under part 1) above.
4. The previously identified "cleared circle" feature will be fenced or otherwise avoided and an existing access road closed to prevent public access and disturbance, providing for a minimum of 250' diameter of undisturbed surface around the feature, as measured from the center of the feature. The patented land perimeter fence, "cleared circle" feature buffer perimeter fence, and the shooting range buffer perimeter fence will be installed prior to any construction activity taking place and will remain in place during the life of the shooting range. BLM personnel will be present during fencing of the "cleared circle" feature to verify the size and location of the specified buffer, and to ensure that fencing activities do not adversely affect the feature. The AGFD will be responsible for maintenance of all fences.
5. The AGFD will coordinate with the concerned tribes to provide interpretation opportunities, such as kiosks, pamphlets, etc., at the shooting range. Any such educational materials will be provided to educate the public about the tribes, the Mohave Valley, the Colorado River, Boundary Cone Butte, etc.

6. The AGFD will hold an annual face-to-face meeting with the concerned tribes and the BLM. The AGFD will provide a status update, coordinate a calendar for known ceremonial closures, discuss annual noise testing, and other information about the shooting range.
7. The AGFD will coordinate with the FMIT to provide adequate shooting range access to tribal law enforcement personnel to complete and maintain firearms training and qualifications.

The effects described in the EA are based on best available science with the document being prepared by an interdisciplinary team with involvement from other agencies, the public and Native American Tribes. For these reasons, I believe that the effects have been well described and do not involve unique or unknown risks nor is this decision setting a precedent for future actions in this area. The proposed action does not threaten a violation of Federal, State, or local laws.

Determination

Based on the analysis conducted for the proposed project and the mitigation measures, requirements, patent provisions and rationale described in the attached Decision Record, it is my determination that neither the proposed plan amendment nor the proposed shooting range will have significant impacts or require an environmental impact statement.

/s/ Ruben A. Sánchez
Ruben A. Sánchez, Field Manager
BLM Kingman Field Office

February 10, 2010
Date

MOHAVE VALLEY SHOOTING RANGE

AZA-31733



Proposed Resource Management Plan (RMP) Amendment & Recreation and Public Purpose (R&PP) Disposal

FINAL ENVIRONMENTAL ASSESSMENT

AZ-030-2002-0057

Prepared By:
Bureau of Land Management
Kingman Field Office
2755 Mission Boulevard
(928) 718-3700

FEBRUARY 2010



DOCUMENTS AVAILABLE FOR REVIEW

Copies of any of the following materials, except the NRA Range Source Book, may be obtained by calling the Bureau of Land Management at (928) 718-3700.

DOCUMENTS:

Report: Sound, Noise & Sport Shooting Ranges

Available online at "www.basfaz.com/sound_&_noise.htm"

Range Safety Rules

Available online at "www.basfaz.com/range_safety_rules_sign.htm"

ARS 17 601-603

Available online at "www.basfaz.com/laws_&_legal_issues.htm"

National Rifle Association, Range Source Book

Available for purchase online at "www.nra.org"

Kingman Resource Area Resource Management Plan, March, 1995

BLM Mineral Potential Report

BLM Environmental Site Assessment Report

BLM Tortoise Habitat Map

AGFD Proposed Development Plan

AGFD Feasibility Assessment

BLM Buffer Fence Detail

BLM Range – Tortoise – Fence Detail

AGFD Seven Mile Hill Noise Assessment

Sample Range Operation Agreement

Draft Joint Management Agreement

Arizona Milepost Spring 2003

Boundary Cone Road Sound Test Conducted June 7, 2003

Boundary Cone Road Sound Test Conducted April 26, 2004

US Institute for Environmental Conflict Resolution Final Status Report
October 26, 2005

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ENVIRONMENTAL ASSESSMENT

I. INTRODUCTION

In March 2001 the Arizona Game and Fish Department (AGFD) applied to the Kingman Field Office for public land for a public shooting range under the Recreation and Public Purposes (R&PP) Act. This document assesses impacts of the proposed issuance of a Recreation and Public Purpose (R&PP) patent. The document also proposes an amendment to the Kingman Resource Management Plan (RMP) approved March 1995 to allow for disposal under the R&PP Act and designate the buffer for special management should the Boundary Cone Road location be selected.

- A. Need for the Proposed Action. A public shooting range is needed within the Bullhead City/Mohave Valley area to support the Hunter Education Program, promote safe hunting and shooting practices, provide the public with safe shooting areas and encourage hunters to become more proficient with their equipment. Law enforcement agencies, including tribal law enforcement, are in need of a shooting range in order to achieve and maintain firearms qualifications. Mohave Community College, Bullhead City Campus has been considering a Law Enforcement Academy that would be enhanced by a local shooting range.

Under the R&PP Act, the types of uses envisioned were parks, fire departments, churches, schools, and other similar uses. The RMP also stated special consideration would be given to nonconforming uses. A shooting range is considered to be a nonconforming use that is not compatible with residential development. The RMP also provides that other public lands within disposal areas may be considered for R&PP. Because the proposed action is considered a non-conforming use but represents a viable use of public land, it warrants further consideration through a plan amendment.

- B. Conformance with Land Use Planning. The Kingman Resource Management Plan (RMP) approved March 1995 identified specific lands to be reserved for R&PP near growing communities.

The Boundary Cone Road alternative would require a plan amendment (43 CFR 1600) in order to be implemented because the RMP did not identify the proposed area for the shooting range as available for disposal. When assessing the proposal to amend the plan, the Planning Criteria from the RMP, with respect to R&PP, was used as well as the project specific Criteria, listed in ***Appendix B***.

The Willow Road alternative is public land that was identified in the Kingman RMP for disposal. Since the RMP was completed in 1995, Field Office boundaries have been adjusted so this alternative is located in the Lake Havasu City Field Office (LHFO). A current RMP planning process in the LHFO, with a decision expected in July 2007, would remove this section from disposal based on concerns from AGFD in relation to tortoise habitat and ADOT regarding the location of State Route 95.

The Kingman RMP designated the public lands involved in both alternatives as part of the “*Kingman Extensive Recreation Management Area (ERMA)*”. (Decision RR05, page 75). The current RMP planning process in the LHFO would also designate public lands involved in the Willow Road alternative as part of an ERMA.

Both alternatives would be in compliance with the BLM policy of custodial management of dispersed recreation activities within ERMAs.

C. Relationship to Statutes, Regulations, and Other Plans.

The Recreation and Public Purposes Act of 1926, as amended (44 Stat. 741, amended, 43 U.S.C. 869-4) authorizes the Bureau of Land Management (BLM) to lease or sell public lands for recreational or public purposes to State and local governments and qualified nonprofit organizations below fair market value.

The Federal Land Policy and Management Act of 1976 (FLPMA), 43 CFR 2740, and the subsequent 2741 Manual and H-2740-1 Handbook provides public lands be retained in Federal ownership, unless as a result of the land use planning procedure, it is determined that disposal of a particular parcel will serve the national interest. Section 212 of the Act addresses disposal via the Recreation and Public Purposes Act.

The Black Mountain Ecosystem Management Plan, April 1996 facilitates multiple-use management while ensuring the sustained health of the land and resolving long-standing resource use conflicts through forage allocation. Disposal and retention decisions from the RMP are carried forward into this plan. Both the Boundary Cone Road and Willow Road alternatives are located in the Black Mountain Ecosystem.

The proposed action is consistent with the goals and objectives outlined for Desert Tortoise Habitat Management on the Public Lands: a Rangewide Plan (November 1988) prepared by Nevada, Utah, Arizona and California to ensure viable populations and improve the status of the species.

AGFD would secure any and all necessary permits, such as zoning, Corps of Engineers, Arizona Department of Environmental Quality, and Arizona Department of Water Resources approval. The sound standards as prescribed in Arizona Revised Statutes (ARS) 17-601 through 603 are applicable to this project.

D. Decisions to be Made.

The State Director would make a decision on whether or not to amend the Kingman Resource Management Plan.

The Field Manager would make the following decisions:

1. Whether or not to classify public land as suitable for issuance of an R&PP patent to the AGFD.
2. Selection of one of the location alternatives or the no action alternative presented in this EA.

II. PROPOSED ACTION AND ALTERNATIVES

A. Proposed Action – Boundary Cone Road

The AGFD has proposed a shooting range to be located in T. 19 N., R. 21 W. on approximately 315 acres in Sections 35 and 36 on the north side of Boundary Cone Road, just east of the north-south power transmission lines (*See Appendix A for map, legal description and conceptual design map*). This location is 2½+ miles east of State and private land and 1½+ miles northwest of a subdivided (10 acre parcels) private section. In order to describe the land by aliquot part for disposal purposes, approximately 5-10 acres would be located on the south side of Boundary Cone Road. This land would remain undeveloped and may be used for shooting range signs only.

The shooting range would be developed as described in section II.C. below.

Access would be from Boundary Cone Road and would include a cattle guard and a gate. The AGFD would work with Mohave County to provide turn lanes for safe ingress and egress into the site. Power and telephone are available along Boundary Cone Road and could be extended to the site at some point in the future.

In addition to the area needed for the Shooting range facilities, there would be a buffer encompassing approximately 470 acres in Sections 25, 26, 35 and 36 of T. 19 N., R. 21 W. See **Appendix A** for map, legal descriptions and conceptual design map. The buffer would be ¼ mile on the east side and ½ mile on the north side of the shooting range and would remain in Federal ownership and managed under a Cooperative Management Agreement with the AGFD. Uses in the buffer area would be limited to those compatible with safe operation of the shooting range.

The minerals in sections 26 and 36 (395 acres) are administered by the BLM and would be retained by BLM as directed by the R&PP Act. The minerals in section 25 and 35 (390 acres) are owned by a third party and are subject to development. The AGFD would purchase the mineral estate or enter into an agreement with the owner to ensure non-development of the minerals. BLM would not convey the surface estate until the mineral estate purchase or agreement has been completed.

It is proposed to amend the plan in accordance with Section 202 of the Federal Land Policy and Management Act (FLPMA) of 1976 and 43 CFR 1600. The proposed amendment would classify the lands listed under “Range” in **Appendix A** for disposal under the R&PP Act, Section 208 of FLPMA and 43 CFR 2740). The Amendment would also designate the lands listed under “Buffer” in **Appendix A** for special management with the objective to provide for public safety. All future applications in the buffer would be subject to review to determine compatibility with safe range operation.

B. Alternative 1 – Willow Road Alternative

This alternative is located in T. 18 N., R. 21 W., Section 28 and would include the Federal surface and minerals of the entire section with the exception of 30 acres in the NW¼ in the vicinity of the historic Milltown site. The shooting range would be developed as described in section II.C. below. (See **Appendix A** for map, legal description and conceptual design map). Shooting range facilities may have to be adjusted to better fit the terrain and criteria.

Access to the Willow Road location is east from Highway 95 along Willow Road approximately 4-4.5 miles. The first 1.5 miles are paved, .5 mile is a dirt road maintained by Mohave County, 1 mile is a dirt road crossing Indian Reservation and private lands and is occasionally maintained by a private sand and gravel operator. The remaining 1-1.5 miles follows the historic Mohave Road across a corner of State land with the remainder crossing public land to a point near a north-south gas pipeline corridor where access can be made to Section 28.

C. Features Common to the Proposed Action and Alternative 1

SHOOTING RANGE

The shooting range would consist of seven different types of ranges including a 5-field trap and skeet range, a 5-stand sporting clays range, a 5-point 500-yard police rifle range, practical pistol bays, a 25-point 200-yard public range, a 25-point 50-yard pistol range, and possibly an archery range (See **Appendix A** for conceptual design maps). The shooting range would be operated under a set of range safety rules typical for shooting ranges. An equitable user fee would be charged.

The trap and skeet range would include a clubhouse and a restroom. The public range would include a range office and a restroom. All facilities would be in compliance with the Americans with Disabilities Act (ADA). Sanitation would either be through the use of a septic system or a naturally composting system. All buildings, shades and other above-ground structures would be non-reflective and painted to blend with the natural color of the environment, thereby reducing the visual affect. Rock staining may be used if needed to ensure visual continuity. All ranges would have an associated parking area.

Night shooting is anticipated approximately three times a week. Shooting between 10 pm and 7 am would not be permitted. Lighting at night would be kept to a minimum and would be low intensity lights intended to minimize light pollution. Night shooting lights would be stadium style with reflector shields to direct the light where needed.

There would also be a maintenance compound that includes RV spaces for caretaker quarters consisting of two pads, hookups, dump station, storage sheds, and a pet enclosure/dog run. Alternative forms of power such as solar, wind and generators with proper containment systems may be employed. Water would be provided either through the drilling of a well or a cistern using water delivery. It is anticipated site planning and development would occur during a 3-5 year period.

The shooting range would be fenced with a 4-wire smooth wire fence using green T-posts 30' apart, stays 7½' apart, bottom wire 18" high, 2nd wire 28" high, 3rd wire 38" high and the 4th wire 50" high. The shooting range would also include tortoise fencing, 1" wide by 2" high wire mesh buried 6" below the surface and 18" above the surface and attached to the bottom strand of wire. AGFD would conduct the biological clearances and would remove all wildlife, barrel cacti and ocotillos from the area prior to construction. Tortoise would be moved to the buffer area. Salvaged plants would be used for landscaping around the facilities or relocated in the buffer.

Effective lead management practices would be implemented including shooting range layout considerations and surface water runoff controls (filtered channels and detention basins) to ensure lead is contained on site while allowing for the natural flow of water. Scheduled soil testing, inspection, and a lead recovery and a recycling program would be part of the project design.

All ranges within the shooting range would be constructed to meet the sound criteria defined in the Arizona Revised Statutes (ARS) 17-601-603 through the use of impact berms. Berms on all ranges, with the exception of the trap and skeet and sporting clay ranges, would consist of a backstop, 20' high, 1:1 slope, 90 percent compaction with a non-rock surface, and lateral berms 10' high. All ranges would meet the National Rifle Association (NRA) guidelines for design, sound levels, and safety as outlined in the NRA Range Source Book dated November 1999. This document may be reviewed at the BLM Kingman Field Office or a copy may be obtained from the National Rifle Association through their website at www.nra.org.

In order to meet state and local requirements, use of water to reduce dust will be used as necessary and equipment coming from areas known to have noxious weeds will be washed.

All public land for the shooting range would be disposed of through a patent with a limited reverter clause on uncontaminated lands only.

The AGFD will provide design plans for review to any and all agencies of interest including BLM, Corps of Engineers, and various departments in Mohave County including Planning & Zoning, Flood Control and Public Works.

BUFFER

The buffer area would be relatively undisturbed except it would be completely fenced with a 4-wire smooth wire fence, green T-posts 30' apart, stays 7½' apart, bottom wire 18" high, 2nd wire 28" high, 3rd wire 38" high and the 4th wire 50" high. **"Shooting Range Do Not Enter"** signs would be posted every 50 yards on the entire fence.

D. No Action Alternative.

A shooting range would not be authorized on public land in the Bullhead City/Mohave Valley area. Currently there is uncontrolled shooting on public lands at many locations. Typically this an individual or a small group of people setting up in a wash or against a suitable backstop, erecting targets such as cans, bottles, plywood, refrigerators, boats, signs, and other available trash to shoot.

E. Alternatives Considered But Not Analyzed.

Several alternative locations were considered as follows:

1. Sections 28 and 33 in T. 19 N., R. 21 W.
2. Section 18 in T. 18 N., R. 21 W.
3. Section 18 in T. 20 N., R. 21 W.
4. Section 9 in T. 19 N., R. 21 W.
5. Sections 22 and 27 in T. 19 N., R. 21 W.
6. Section 29 in T. 19 N., R. 21 W.
7. Section 30 in T. 19 N., R. 21 W.
8. Sections 34 and 35 North of Boundary Cone Road in T. 19 N., R. 21 W.
9. Section 35 in T. 19 N., R. 21 W. and Secs. 2 and 3 in T. 19 N., R. 21 W., South of Boundary Cone Road.
10. Section 36 South of Boundary Cone Road in T. 19 N., R. 21 W.

During the Alternative Dispute Resolution (ADR) process, the following alternative locations were considered:

11. Section 4, T. 19 N., R. 21 W.
12. Section 8, T. 19 N., R. 21 W.
13. Section 16, T. 18 N., R. 21 W.
14. Section 4, T. 17 N., R. 21 W.
15. Section 9, T. 17 N., R. 21 W.
16. Section 22, T. 17 N., R. 21 W.,
17. Section 27 and 34, T. 19 N., R. 21 W.

A map in **Appendix B** shows the location of the alternatives above. **Appendix B** identifies the criteria that were considered when locating the shooting range. Some of the criteria are more critical than others. The site must be in Arizona since the AGFD is the applicant. A north shooting direction is important so shooters are not blinded by the sun in the mornings and afternoons. A major highway cannot be immediately adjacent to the north. Location in Category I and II desert tortoise habitat has been avoided as it would require mitigation and compensation that is not considered to be cost effective. It is also important to have the range located far enough away from potentially developable land to ensure the long-term use of the range.

The majority of alternatives were eliminated from further consideration primarily due to lack of access, location in close proximity to land valuable for residential development or having high value resources such as Category II desert tortoise habitat and cultural

resources. Alternatives considered during the ADR process were eliminated for the same reasons with consensus from all stakeholders.

In addition to the above alternatives, an indoor shooting range was considered. An indoor shooting range would not allow for all the various shooting sports such as trap and skeet, and the \$5-6 million price tag it takes to develop this type of range makes this alternative economically unfeasible.

Further consultation conducted during 2009 by BLM with the Fort Mojave Indian Tribe (FMIT) and the AGFD resulted in reconsideration of some alternatives that had been considered but not analyzed, specifically Alternative 5 and locations north of Camp Mohave Road. A commitment of support from the FMIT could not be provided for any of the alternatives.

III. Affected Environment
A. General Setting.

Boundary Cone Road Alternative

This site is located on the north side of Boundary Cone Road approximately 7 miles east of Highway 95 (*see map in Appendix A*). This parcel is within an area of contiguous public land. The site is a minimum of 1½ miles from any private or State land with development potential. It is approximately 1½ miles east of the Mohave County Material Site and 2 miles southeast of the Mohave County Landfill. It is just east of two major north/south power transmission lines. An old alignment of Boundary Cone Road and an old road between Oatman and Needles, shown on a 1917 survey plat and identified in the survey notes as a ferry road, runs east/west in the southern portion of the range site. A water pipeline shown on the 1917 plat has been removed. There is evidence there may have been a telegraph line in the area at one time. The area slopes from east to west approximately 3-5% and is dissected by numerous washes, large and small. The uplands are generally covered with desert pavement and basalt, volcanic fragments. Vegetation is sparse and consists of creosote, catclaw, cholla, ocotillo and barrel cacti. Wildlife inhabiting the area includes coyote, lizards, various birds, and desert tortoise. This area has been closed to livestock grazing since 1974 and reserved for wildlife and watershed uses. There are no active unpatented mining claims at the proposed location. Rights-of-way of record include Boundary Cone Road and a powerline paralleling Boundary Cone Road.

Willow Road Alternative

This site is located south, southeast of the historic Milltown site in Mohave Valley (*see map in Appendix A*). It lies east of a north-south gas pipeline corridor. The area has been heavily impacted by ATV use, target practice with firearms and illegal dumping. The historic Mohave Road crosses the northwest corner of the section. A tribal police shooting range is located approximately 1 mile to the west on the north side and at the end of Willow Road on tribal lands. A section of State Land with an underlying residential designation lies to the southwest with the nearest private land 1 mile to the west.

The area slopes from east to west approximately 3-15% and is dissected by numerous washes, large and small. The uplands are generally covered with desert pavement and basalt, volcanic fragments. Vegetation is sparse and consists of creosote, catclaw, cholla, ocotillo, and barrel cacti. Wildlife inhabiting the area includes coyote, lizards, various birds, and desert tortoise. This area has been closed to livestock grazing since 1974 and reserved for wildlife and watershed uses. Both the surface and mineral estate are

Federally-owned and there are no active unpatented mining claims or rights-of-way of record in Section 28.

No Action Alternative

The area for this alternative encompasses the Colorado River Valley in Arizona from SR 68 south to the Topock Marsh, from the Black Mountains west to residential development. This is where people go to shoot, wherever there is a road on public land away from residential development. It includes the environmental elements described in both above alternatives. Private lands are subject to development and are being marketed for low, medium, and high density housing, golf courses, commercial business and unofficial subdivisions or lot splitting. Public lands are for multiple uses including recreation, wildlife habitat, rights-of-ways and mineral development. It can be difficult to balance these uses. There are thousands of acres of public lands where the mineral estate is privately owned subject to sale and development. In Arizona, the mineral estate has primacy over the surface estate. As a result, the minerals may be sold or developed with minimal input from the surface owner. State lands are generally undeveloped but contain some rights-of-ways. The FMIT tribal property is intermingled with privately-owned property and is used for farming, housing, and vacant land. Recent developments include a power plant and casinos.

B. Critical Elements.

Boundary Cone Road and Willow Road Alternatives

The Critical Elements of the Human Environment (BLM Handbook H-1790-1, 10/15/1988 version) were considered during this project with respect to the proposed action, no action and any other alternatives. The table below lists the critical elements and pertinent comments on each. Elements not affected by the Proposed Action or alternatives will not be discussed further in this EA.

Critical Element	Comment
Air Quality	There would be dust from construction for either alternative. Dust abatement during construction is part of the proposed action. No other affects to air quality are expected.
ACECs	Neither alternative site is located in or near an ACEC.
Cultural Resources	Would be impacted as discussed below.
Farmlands, Prime/Unique	There is no Prime or Unique Farmlands located at either site.
Floodplains	Washes go though both sites. The shooting range would be designed to allow the natural functioning of these washes. Permits may be required from Army Corps of Engineers.
Nat. Amer. Rel. Concerns	Impacts to native American Religious concerns are discussed below.
Environmental Justice	It was determined “environmental justice” was not impacted for either alternative as the range is a minimum of 1 mile from private land or tribal land and associated residences.
T& E Species	A search of the Arizona Game and Fish Heritage Data Base Management System data base and BLM technical expert knowledge of T&E species habitat requirements and locations supports the determination that there would be “no affect” to T&E species within the project and action area from the proposed action as none are present.
Wastes, Hazardous/Solid	Potential contamination is discussed below.
Water Quality	The facility is being designed to contain lead contamination.
Wetlands/Riparian Zones	There are no Wetlands or Riparian zones at either site

Wild & Scenic Rivers	There is no designated Wild or Scenic Rivers at either location.
Wilderness	Neither proposed site is in a Wilderness area. The closest wilderness area is approximately 5 miles from either location.
Noxious/Invasive Weeds	The proposed action includes measures to insure noxious weeds are not spread at the site.

In addition to the above critical elements, the following non-critical elements were considered but were determined to not be affected:

1. Wild Horse and Burro. The proposed site is located within the Black Mountain Herd Management Area (HMA). The Black Mountain HMA encompasses approximately 1,094,000 acres of Federal, State, and private lands and is actively managed to sustain a herd of 478 wild burros in thriving ecological balance with the environment. The Black Mountain Ecosystem Management Plan (1996) provides guidance for management actions on public lands within the HMA. The Plan allows for the development of Recreation and Public Purpose permits and leases in non-critical burro habitat. The proposed action is located in non-critical habitat and would not adversely impact the management or the maintenance of a healthy, viable herd of wild burros in the Black Mountain HMA.

2. Rights-of-Way. An R&PP patent would be issued subject to valid existing rights-of-way. BLM has authorized the following rights-of-way across public land proposed for the Boundary Cone Road location:

Serial #AZA-24775 – Issued to Citizens Utilities for a 69 KV power-line right-of-way, 20’ wide.

Serial #AZA-20911 – Issued to Mohave County for Boundary Cone Road right-of-way, 100’ wide.

The rights-of-way would continue to be managed in accordance with the terms and conditions in each grant. Operation of the facility within each right-of-way would not be affected by the construction and operation of a shooting range.

There are no rights-of-way of record within the Willow Road Alternative.

Future rights-of-way across the patented range property would require approval of the AGFD.

C. Affected Resources.

The following resources are expected to be impacted by the proposed project:

1. Cultural Resources. The area encompassed by both sites has been used by prehistoric and historic peoples. The prehistoric uses consisted of traveling through, collecting materials for the creation of stone implements, gathering plants for food and ceremonial uses. Archaeological sites reflecting these uses consist of chipped stone scatters resulting from stone tool manufacture or from testing and breaking raw materials down for transport. The historic uses were typically associated with mining, grazing or transportation.

2. Native American Religious Concerns. The Fort Mojave Indian Tribe (FMIT) and Hualapai Indian Tribe have expressed a concern that the range could impact the spiritual values they assign to nearby sacred sites including a mountain named Boundary Cone Butte. The entire Mohave Valley area is part of the ancestral lands of the FMIT and

Hualapai Indian Tribe. The oral histories and traditions of the FMIT and Hualapai Tribe show that the Mohave Valley has been used by Tribal ancestors for centuries. The concerned tribes believe that projects that disturb the landscape jeopardize their heritage. The tribes also believe that while the tribes have been physically removed from the land, through no choice of their own, they remain connected to it. Places on this landscape have special meaning pertaining to the traditions and oral histories of these Tribes.

3. Wildlife/Special Status Species

The following species are found at both alternative sites and are BLM Sensitive Species due to declining populations and loss of habitat: Desert Tortoise has been found to den in small caves found along wash banks and under shrubs on the uplands; habitat for the chuckwalla, is found in the project area and; the western burrowing owl and other migratory birds are known to occur in this area. Several BLM sensitive bat species are known to forage in the project area.

4. Sound. Different people have different perceptions of what sound they like and what sound they don't like. Noise differs from pleasant sounds only in the fact that it often disturbs us. (See **Appendix C** for detailed description)

The determination of what sounds are considered to be noise is a personal judgment of annoyance based on the intensity, duration, time of day, and number of times the event takes place. Sound measurements are based on sound pressure levels expressed in decibel (dBA) units. A higher decibel level of sound generally correlates with people's judgment of the annoyance of the sound.

When Congress passed the Noise Control Act of 1972, the U. S. Environmental Protection Agency (EPA) was tasked with publishing descriptive data on the effect of noise which might be expected from various levels and exposure situations and to publish information (see **Appendix C** for more information). State standards are governed by the May 17, 2002, Arizona State Legislature Senate Bill 1008 amending Title 17, Arizona Revised Statutes, Chapter 6, relating to outdoor shooting ranges. It requires the sound from a shooting range not exceed an LEQ(h) of 64 dB(A) when measured within 20 feet from the nearest occupied structure.

Major generators of sound in this area include passing traffic, aircraft flying overhead or target practice. Currently, shooting takes place at many different locations on public lands and quite often occurs adjacent to private land. Medium and heavy trucks generate sound levels ranging from 84 to 88 dB(A) and train traffic generates sound levels ranging from 88 to 98 dB(A) measured 50 feet from the source.

5. Minerals and Mineral Estate. Sand and gravel is very common throughout the Colorado River Valley. Occurrences of metallic minerals are not common in the valleys but there have been efforts to locate gold, silver, and other precious metals. Mineral estate is a subsurface right in any given parcel of land that allows for the exploration or use of minerals potentially to the detriment of the surface estate. This area has many sections of land where the BLM manages the surface estate but the mineral estate is owned by a third party. In Arizona, the mineral estate has primacy over the surface estate. As a result, the minerals may be sold or developed with minimal input from the surface owner.

6. Hazardous Materials. A Phase I environmental site assessment for hazardous materials has revealed there are no hazardous materials currently within the boundaries of either site. Lead deposition is occurring on a wide area due to random shooting.

7. Visual Resources. The majority of Mohave Valley, including both alternative locations, is classified by BLM as Visual Resource Management (VRM) Class IV. Class IV allows consideration of activities that require major modification of the existing character of the landscape. The level of change to the landscape can be high, may dominate the view, and may be the major focus of viewer attention. Every attempt should still be made to minimize visual impacts to the landscape.

8. Recreation Resources. Dispersed recreation activity occurs in the area of both sites, including driving off-highway vehicles (OHVs), hiking, rock-hounding, target shooting, and sightseeing. Visitor use of this region for recreation pursuits is relatively high, due to the close proximity of several population centers and the high volume of tourists visiting the Nevada casinos, Oatman, and Route 66. OHV use is likely the most popular activity, and includes periodic organized events involving hundreds of vehicles. Target shooting is also popular and often results in areas that are littered with shell casings and shot up materials. Both shooting range proposals are in the vicinity of the Mohave and Milltown Railroad Trails managed by BLM. Motorized and non-motorized use on these trails allows visitors to view the remains of the historic railroad grade and ore-processing facilities at Milltown.

9. Socio-Economics. The Tri-State Region, where California, Nevada and Arizona come together, is a popular year-round recreation spot and the mild warm winters attract many out-of-state tourists. Boundary Cone Road is the main artery that provides access to the historic mining town of Oatman and its wild burros, the Goldroad Mine and historic Route 66. Even in the summer, when daytime temperatures often exceed 110 degrees, the Colorado River, Lake Mohave and the Laughlin casinos still attract thousands of visitors.

10. Adjacent or Nearby Land Uses/Ownership. Land in the area is managed by BLM or owned by the Arizona State Land Department, the FMIT, or private landowners. Public land is managed by BLM in accordance with the Federal Land Policy and Management Act of 1976 and decisions from the approved Kingman RMP 1995.

IV. Environmental Consequences

A. Boundary Cone Road Alternative.

1. Cultural Resources. 100% of the area of the proposed shooting range was surveyed in late 2002 for cultural resources. There were five historic archaeological sites discovered and recorded. In September 2004, an additional site was recorded consisting of a cleared circular area. All archaeological sites within the area of proposed construction for shooting range facilities would be adversely affected by the proposed action. A report was prepared documenting the location and description of the sites.

2. Native American Religious Concerns. This location lies within 2 miles of, and within view of Boundary Cone Butte, considered by the FMIT and Hualapai Indian Tribe to be a sacred site. Because of the values assigned to Boundary Cone Butte by the Tribes, Boundary Cone Butte has been determined eligible for listing in the National Register of Historic Places as a traditional cultural property. The tribes have not provided information regarding specific impacts a shooting range would have on current practices

occurring at this or other sacred sites, but they have stated that the presence of the shooting range would adversely affect the spiritual values associated with Boundary Cone Butte and the Mohave Valley in general. The concerned tribes believe that each disturbance to the landscape is a loss of part of their heritage. The visual impact would be minimized by painting structures in desert earth tones, rock staining, using low intensity lighting and utilizing desert landscaping as described in the proposed action.

Sound testing conducted in June 2003 at the proposed shooting range shows that the sound of one firearm would diminish to less than a whisper approximately one mile from the shooting location. The results of the sound testing are described under "Sound" below. An additional sound test was conducted in April 2004 to simulate a more realistic shooting range scenario and showed the sound would be comparable to a dishwasher in the next room. See **Appendix C**. Gunfire and echoes reverberating against the Black Mountains could be heard at the sacred site. It should be noted the sound testing conducted was done so without the benefit of berms that would be constructed as part of the proposed action, thereby reducing the amount of sound even further.

3. Wildlife/Special Status Species. The project area contains Category II and III tortoise habitat. Category II is classified as higher value habitat than Category III. The shooting range area of the Proposed Action is within Category III habitat while the buffer area is within Category II. The proposed relocation of tortoise would cause some stress but would be minimized as tortoise would be relocated within their original home-range. They would be removed by the AGFD utilizing AGFD tortoise handling guidelines. Approximately 315 acres of habitat would be lost as a result of implementation of the proposed action. Encounters between humans and tortoise are expected to increase due to the higher use of the project area and surrounding lands. Effects to tortoise may be an increase in collection, harassment, and vandalism by shooting, and mortality associated with road kill. This is an Arizona State-listed species that requires additional mitigation in order to keep it from becoming a federally-listed threatened and endangered species.

With implementation of the proposed action approximately 315 acres of habitat for the chuckwalla and foraging habitat for bats and migratory birds would be degraded or permanently removed. Collection and human induced mortality of chuckwalla could increase as a result of higher recreational use within the surrounding areas. Displacement or mortality of the western burrowing owl may occur if facilities or roads are placed on or within sight of burrowing owl burrows.

4. Sound. The proposed action is 1½ miles northwest of a mostly undeveloped section of private land and 2½ miles east of occupied residences.

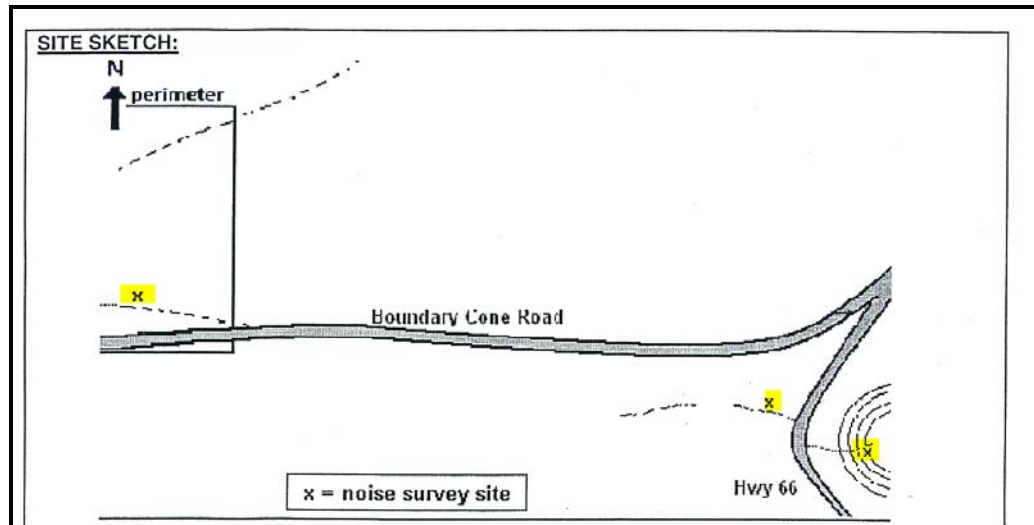
Sound testing was conducted by a consultant on June 7, 2003 between 5:30 and 6:30 p.m. at the Boundary Cone Road location. Sound pressure levels were recorded of four 30-06 rifle shots and three 12 gauge shotgun shots over an approximate 3-minute period. Firing took place at the approximate center of the proposed range in a north direction. Measurements were recorded at the northeast, southeast and southwest perimeter of the range to determine sound levels off-site and at points approximately 20 yards west of the shooter and 100 yards north of the center of the range to determine maximum sound levels that may be experienced while on-site. Decibel levels at the various locations were as follows:

20 yards west of shooter	88.6 dB(A)
100 yards north of shooter	58.5 dB(A)
Southwest corner of proposed range	53.8 dB(A)

Southeast corner of proposed range	50.2 dB(A)
Northeast corner of proposed range	55.4 dB(A)

A second sound test was conducted by a consultant on April 26, 2004 to more closely simulate an actual shooting range. Multiple pistols, rifles, and shotguns were fired over a 20 minute period. Measurements were taken at three locations: a) one approximately 50 yards east of the firing line, b) one approximately 120 yards east of Route 66 on the west side of Boundary Cone, and c) one 100 yards west of Route 66. Decibel levels at these locations were as follows:

a) 50 yards east of firing line	80.5 dB(A)
b) 100 yards west of Route 66	58.4 dB(A)
c) Boundary Cone Butte	50.2 dB(A)



While this is below the decibel level required by State law at the nearest residence of 64 dB(A), whether the amount of sound is considered as offensive noise is perceived differently by each individual. See *Appendix C* for detailed information regarding sound. Interested parties located at the base of Boundary Cone Butte stated gunfire, as well as echoes off the Black Mountains, could be heard. It should be noted these sound tests were conducted without the benefit of berms that would be constructed as part of the proposed action.

5. Minerals and Mineral Estate. The minerals in sections 26 and 36 (395 acres) are managed by the BLM and there are no mining claims or mineral material sales. The minerals in Sections 25 and 35 (390 acres) are owned by a third party and may be subject to development. In Arizona, the mineral estate has primacy over the surface estate. As a result, the minerals may be sold or developed with minimal input from the surface owner. A mineral potential report was completed for Sections 25, 26, 35 and 36 in T. 19 N., R. 21 W. The report concluded there is low potential for metallic mineral (gold), and high potential for the occurrence of sand and gravel. BLM administered minerals in the shooting range (Sec. 36 – 185 acres) would not be available for development as the Secretary of the Interior has not enacted any laws and regulations for mineral development on land disposed of under the R&PP Act. The BLM administered minerals in the buffer area (Sec. 26 and 36 – 210 acres) will remain open for mining claims which could conflict with the operation of the range shooting range. The sale of BLM-

administered minerals is discretionary and likely would not be approved in the buffer area.

If the AGFD negotiates with the mineral estate owner to either buy the mineral estate or comes to a written non-development agreement for the mineral estate in section 25 and 35 (390 acres in the shooting range and buffer areas and up to 1280 acres for the two private mineral sections), there would be no mineral development opportunities in the area covered by the agreement. This would also provide protection for desert tortoise habitat and may be considered as compensation for lost tortoise habitat within the shooting range.

If the mineral estate cannot be purchased or an agreement with the mineral estate owner cannot be reached, this shooting range location would not be developed.

6. Hazardous Materials. Implementation of the proposed action could potentially contaminate the ground surface and ground water with lead, arsenic, and antimony from bullets. The natural drainage ways coursing through the proposed project area are subject to infrequent periodic flooding. Depth to ground water is 100+ feet below the ground surface.

There are four movement pathways where lead deposited on firing ranges has potential risk to human health. These pathways are:

- as airborne particulate matter
- as waterborne particles in suspension in storm runoff
- in solution in storm runoff
- in solution in ground water

It is expected that potential lead contamination to ground water resources would not be significant due to high soil pH's, and infrequent low annual rainfall. For these reasons it is also expected that lead deposited particles from firing ranges would not penetrate the ground surface to great depth. If significant concentrations of lead or arsenic reach ground water that is consumed by humans, a variety of health problems could potentially occur. Airborne lead particles may be a result of the shooting activity itself. These particles may settle on the soil surface in gun firing areas and later transported by wind and dust movement. The Colorado River Valley is a dry region with the exception of the river itself.

The four major factors influencing the movement of particulate or dissolved lead through soil media are: rainfall intensity and frequency, soil pH, soil permeability, and soil profile development (morphology). The proposed action contains soil resources that have a high soil pH, low rainfall, (6 to 9 inches mean annual precipitation), and low rainfall frequency. The soils in the proposed action are generally coarse textured, and have minimal to medial profile development.

Implementation of effective lead management practices, as described in the proposed action, would further reduce the potential for lead contamination and risks to the health or safety of humans or wildlife.

7. Visual Resources. Implementation of the proposed action would add man-made structures and disturbances to the natural landscape. These manmade changes would be readily apparent to observers viewing the area from Boundary Cone Road, because of the close proximity of the project to the road. Night lighting at the facility would reduce the natural darkness that is currently present in this area. Use of earth-tone colors on structures, low-level lighting, and re-vegetation of disturbed areas and rock staining

would help to reduce the contrasts and visibility of the project to passersby. The project would meet BLM visual objectives for the area.

8. Recreation Resources. Development of the shooting range facility would eliminate opportunities for dispersed recreation on several hundred acres of public land. Existing off-highway vehicle routes would be cut off at the boundaries of the range, however, alternative routes are present in the same area, and no destinations would be left inaccessible. Camping on public lands, with a 14-day limit, is permitted and would likely increase in the range vicinity. Random shooting is expected to continue to some extent but education opportunities associated with the range could reduce some safety concerns. Development of this shooting range may lessen the incidence of random shooting and related trash deposition on other areas of public land.

9. Socio-Economics. It is expected the shooting range would provide additional tourist dollars to the local economies. Shooting-related competition events could bring people into the area that might not normally visit the area and could result in the use of a variety of services and activities offered in the region including increased use of casinos, Route 66, Historic Oatman and the Goldroad Mine.

Cost of development at this location is expected to be approximately \$1,000,000.00. A 69 kV power transmission line parallels Boundary Cone Road. A 12 kV distribution line could be extended from the current point of terminus approximately 3 miles to the west utilizing existing poles at an estimated cost of \$2/foot or \$32,000. Mohave County has expressed an interest in obtaining power to their material pit to the west of this site, which could result in sharing some of this expense. There would be an additional cost to complete a survey of the buffer perimeter fence. Access to the location is direct from Boundary Cone Road, therefore there would be no need to acquire access. A value has been placed on the mineral estate by the Railroad of \$100/acre or \$39,000.

10. Adjacent or Nearby Land Uses/Ownership. If the plan is amended, a 315 acre parcel of private land would be within contiguous public land. A 470 acre buffer to the north and east of the 315 acres of private land would be retained in public ownership but managed to insure public safety and uses compatible with range operation. Future disposal of public land would not be expected in the area of the shooting range because the parcel was picked for remoteness to provide an area that would not disturb activities on private land and is not expected to impact property values. Amendment of the plan would allow for R&PP disposal of public land for development of a shooting range to serve an important public purpose and an important Arizona state program that would insure longevity of the proposal.

Adjacent public land would continue to be managed for multiple use and protection of valuable resources as prescribed in the Kingman RMP and to the extent allowed by law. The Interdisciplinary Team reviewed the plan decisions applicable to this area and have determined that the ability to implement the plan would not be affected by the implementation of the proposed action including as noted below:

Cultural: During the course of this project the importance of Boundary Cone Butte to Native Americans has been ascertained. Regardless of the alternative selected, BLM may implement decisions dealing with 1) nomination of cultural resources for listing in the national register of historic places; 2) protecting scientific information potential of sites (possibly through recovery or avoidance); 3) initiate studies to identify existing socio-cultural values, as well as areas and cultural resource properties with socio-cultural values for Native American

groups, residents and land users. All other cultural decisions would be unaffected by the proposed action.

Hazardous Materials: The proposed action contains lead containment procedures and would not affect the RMP plan decisions for hazardous materials and protection of groundwater, aquifers or riparian systems.

Minerals: Approximately 315 acres would be unavailable for mineral exploration with the possibility of another 470 acres within the buffer also being unavailable. Since the minerals in this area are predominately sand and gravel and found throughout the area of the Kingman Field Office, implementation of exploration for sand and gravel would not be affected.

Wildlife: The proposed action would not affect the ability to implement the decisions pertaining to general wildlife. The decision pertaining to managing special status species and their habitat would be affected as 315 acres of Sonoran desert tortoise habitat is being conveyed out of public ownership. Also, the increase of users in the area could contribute to the loss of tortoise which would further compromise the decision. The RMP decision dealing with compensation for loss of desert tortoise habitat would be implemented through mitigation measures of fencing and purchase of sub-surface mineral estate.

Visual: The area is within VRM class IV and this designation would not change because of the proposed action.

Recreation: The area is within an extensive management area for dispersed recreation and would not change.

Lands and Realty: Rights-of-way and other lands permits would continue to be processed in the area adjacent to the shooting range subject to environmental analysis consistent with the RMP and as required by law. The proposed action would conflict with the decision to retain land in areas of blocked public ownership but the RMP does allow for consideration of disposal outside identified areas on a case-by-case basis following a plan amendment.

Uses of private, State and Tribal lands are not expected to be affected by the proposed plan amendment or the siting of a shooting range on public land.

B. Willow Road Alternative.

1. Cultural Resources. 100% of Section 28 was surveyed for cultural resources. The survey resulted in locating 240 prehistoric archaeological sites and 4 historic sites. The four historic sites are associated with the Milltown historic site in Section 21 immediately North of Section 28. Most of the prehistoric sites are chipped stone scatters resulting from stone tool manufacture or lithic reduction to test and break the raw materials down for transport. Some of these sites consist of cleared circular areas, 1 to 5 meters in diameter, that have been identified by the Aha Makav (FMIT) as areas of spiritual importance. Some rock features were identified by the Aha Makav as having religious significance, but the nature of the religious importance was not revealed. Other site types of unknown age include rock piles or cairn and masonry structures.

Any historic and prehistoric sites located within the 30 acres being retained around the historic Milltown site would not be disturbed by this action. Any historic and prehistoric

sites located within the shooting range and buffer would be subject to destruction by ground disturbance associated with construction and use of the shooting range.

2. Native American Religious Concerns. This site also lies within the traditional homeland of the FMIT and Hualapai Tribe. It is located approximately 6 miles from Boundary Cone Butte, the sacred site discussed in the Boundary Cone Road location. Due to the large number of prehistoric sites located on the property, it is evident this area was used extensively by Native Americans. The sacred areas and rock features of religious significance identified by the AhaMakav in Section 28 would be subject to destruction by ground disturbance associated with construction and use of the shooting range.

3. Wildlife. Impacts to wildlife at the Willow Road location are similar to those at the Boundary Cone Road location described above.

4. Sound. The same or similar sound impacts could be expected at the Willow Road location as those described for the Boundary Cone Road location. Since Boundary Cone Butte is approximately 6 miles from this location, as opposed to 2.5 miles from the Boundary Cone Road location, it is expected the sound level would be approximately 40 dB(A) which would be comparable to normal night-time sound. This would be based on the fact there are no berms that would be constructed as part of the proposed action.

The State land to the southwest could possibly be developed for residential purposes at some point in the future. Terrain and design factors would keep the sound level well below the state standard of 64 dB(A).

5. Minerals and Mineral Estate. BLM administered minerals on public land disposed of through the R&PP Act would not be available for development as the Secretary of the Interior has not enacted any laws and regulations for mineral development on land disposed of under the R&PP Act. A field reconnaissance of Section 28 indicated there is low potential for metallic mineral (gold), and high potential for the occurrence of sand and gravel. Sand and gravel is very common throughout the Colorado River Valley. There is a sand and gravel pit located in the wash in Section 32 south of Section 28.

6. Hazardous Materials. Contamination impacts as a result of a shooting range would be the same regardless of location. A field reconnaissance of Section 28 resulted in the location of a tailings dump associated with the historic Milltown site, however, this area is within the 30 acres in Section 28 that would be retained around the historic site. No other hazardous materials were identified in Section 28.

7. Visual Resources. Impacts to visual resources at the Willow Road location are the same or similar to those at the Boundary Cone Road location described above. The project would meet BLM visual objectives for the area.

8. Recreation. Development of the shooting range facility would eliminate opportunities for dispersed recreation on several hundred acres of public land. Existing off-highway vehicle routes would be cut off at the boundaries of the range, however, alternative routes are present in the same area, and no destinations would be left inaccessible. Camping on public lands, with a 14-day limit, is permitted and would likely increase in the range vicinity. Random shooting is expected to continue to some extent but education opportunities associated with the range could reduce some safety concerns. Development of this shooting range may lessen the incidence of random shooting and related trash deposition on other areas of public land.

9. Socio-Economics. The significant increase in range development costs include access road upgrade, substantial dirt work, relocating and channelizing at least one, and possibly three, watercourses. Economic benefits of a shooting range at this location to the local economy would be the same as the Boundary Cone Road alternative.

Cost of development at this location is expected to be approximately \$3,000,000.00. Bringing power into Section 28 would require extension of an existing distribution line located on Willow Road approximately 2 miles. Costs for a new line to extend power are estimated at \$5/foot or approximately \$52,800. Costs for acquiring legal access could be expensive and time consuming and are unknown. Access across tribal lands requires a proposal be brought before the Tribal Council who then makes a recommendation to the Bureau of Indian Affairs (BIA) based on the benefit to the tribe. If there is no benefit, it may not be approved. If approved, BIA will determine appropriate compensation. If and when State Route 95 is realigned, BLM may seek an opportunity for an access interchange at Willow Road. This could facilitate long term access needs to Section 28. Access across the gas pipelines would require coordination with the pipeline company(s) to assure adequate pipeline protection. Recordation and data recovery for the 244 sites identified would cost approximately \$300,000.

10. Adjacent or Nearby Land Uses/Ownership. The southwest corner of this section is common to the northeast corner of a State land section. The Arizona State Land Department (ASLD) has advised the State Trust land to the southwest has an underlying residential designation. ASLD has recommended shooting range facilities in the west half of the section be moved to the east half of the section to ensure the new alignment of State Route 95 will buffer State Trust lands from shooting range activities.

The Arizona Department of Transportation has identified the preferred route for realignment of State Route 95 in Arizona through the west half of Section 28. If and when this highway is built in Arizona, it may facilitate access to this location, but the alignment may have to be adjusted if Section 28 is selected for the shooting range.

A tribal police shooting range one mile west of Section 28 at the end of Willow Road is used regularly for firearms qualifications for law enforcement personnel within the FMIT. It would seem feasible the tribal shooting range could be eliminated if and when a new shooting range is constructed, thereby eliminating possible conflicts with adjacent land valuable for residential development. However, Indian reservation land is managed as a sovereign Nation, therefore there is no guarantee of this possibility.

There is a perception a shooting range will devalue property when, in fact, there are those that like to live close to a shooting range. Since there is not currently any residential development within 1½ miles, if a shooting range were built at this location, all future developments should include a full disclosure.

The Mohave Road 4WD trail and the Mohave and Milltown Railroad Trails trailhead is located just north of this alternative. The Mohave Road is a historic road that was a major transportation corridor from the historic mining town of Oatman to the east-west railroad main line located near Topock. Portions of the historic Mohave Road could be further degraded by upgrading and/or SR 95 realignment.

C. No Action Alternative.

1. Cultural Resources. While there would be no impacts due to this action, use of public land is not prohibited and destruction of cultural resources could occur through general uses that typically occur on public land such as recreation, rock hounding, and off highway use. Trespass is a common occurrence on public land and can also destroy cultural resources.
2. Native American Religious Concerns. Shooting and target practice occurs almost on a daily basis in Mohave Valley. There is nothing to preclude the public from using Boundary Cone as a backstop for target practice.
3. Wildlife/Special Status Species. Animals would not be relocated due to the proposed action. This would not prevent impacts due to increased human population and use of public land.
4. Sound. Shooting will continue to occur on public land. The degree of noise heard will depend on the proximity to the shooting location(s).
5. Minerals and Mineral Estate. While sand and gravel is prevalent throughout Mohave Valley, privately owned minerals sold for development account for a large part of the economy. There are many Federal lands in Mohave Valley with private mineral estate. In Arizona, the mineral estate has primacy over the surface estate. As a result, the minerals may be sold or developed with minimal input from the surface owner. Many acres of public land could be impacted by mineral development where minerals are not Federally owned.
6. Hazardous Materials. Uncontrolled lead contamination could and will continue due to random shooting. Lead from uncontrolled random shooting could be transported either through the air via dust particles or through drainages during storm runoff. The degree of hazard may not be considered very high since the entire area is arid and there is not much opportunity for movement to water sources.
7. Visual Resources If the Proposed Action or Willow Road Alternative were not selected, and no organized shooting range was available in this region, wildcat shooting on public lands would continue or increase and would likely result in continued degradation of public land visual quality due to typical trash deposition at such locations.
8. Recreation. A decision to not implement either the Boundary Cone Road or Willow Road alternatives could result in continued or increased wildcat shooting on public lands by individuals, law enforcement agencies and private security firms. With the current trend of increased recreation use on public lands in this region, conflicts between shooters and other public land users concerned for their own safety may increase.
9. Socio-Economics. There would not be any benefits to local communities from organized shooting events from this proposed action. Thousands of dollars identified for range development costs would not be spent. Those that need or want to shoot would have to drive the approximately 60 miles round trip to Kingman and the Seven Mile Hill Shooting Range.
10. Adjacent or Nearby Land Ownership. Residential areas may find shooting in close proximity unless posted or prohibited.

D. Cumulative Impacts.

Native American Religious Concerns. The FMIT has stated that the tribe feels that all actions occurring in Mohave Valley contributes to the degradation of the spiritual values and tribal connections with the land. Mohave Valley consists of intermingled land ownership and development of the landscape as described in Adjacent or Nearby Land Ownership below will continue. Development is planned for the express purpose of increasing the population, tourism and jobs in the area. Public lands are typically available to provide support for development through recreation use, rights-of-way for infrastructure and lease/disposal for recreation and public purposes, etc. Developments are occurring in Mohave Valley on private lands such as housing and golf courses and on tribal lands such as farming, casinos, and a power plant. Each development and disturbance will continue to impact the landscape and FMIT cultural heritage.

Wildlife/Special Status Species. Past projects such as power lines, pipelines, Topock substation Topock power plant and private land development such as the Laughlin Ranch and expected projects such as the SR 95 realignment all contribute to habitat loss and fragmentation and illegal wildlife collection.

Sound. The tribal police shooting range and random target practice currently occurring would add to the overall noise created by the proposed shooting range. The realignment of SR 95 would bring traffic noise in closer proximity to the proposed shooting range and to Boundary Cone Butte. Commercial air traffic is currently occurring and is expected to continue.

Visual Resources The addition of a shooting range facility at either location will add to the number of manmade modifications already existing in the region including power lines, Topock substation, Topock power plant, SR 95 realignment, and other projects.

Public lands in this area will continue to be modified as nearby populations continue to grow and further infrastructure is required. The shooting range will also add to “light pollution” of the night sky in this vicinity, but is relatively inconsequential in comparison to the substantial glow cast by the Bullhead City/Laughlin/Mohave Valley population centers.

Adjacent or Nearby Land Ownership. There are many new residential and commercial developments proposed or occurring on private land in Mohave Valley and the entire Colorado River Valley in Arizona, Nevada and California. Some developments are very large, and consist of high density housing, golf courses, and industrial parks. The Laughlin Ranch development alone consists of approximately 3½ square miles in the Bullhead City limits and an additional 12 square miles outside the city limits in the county. The FMIT is planning a new casino 4½ miles west of the City of Needles. BLM has received a wind energy testing and project area application on public land north and west of the proposed Boundary Cone Road location. An application for a substation and 69 kV powerline has been filed along El Rodeo Road to tie into the north-south powerline corridor. Impacts that can be expected from these developments are an increase in traffic, population, employment and public land use and expansion of infrastructure to support them that could result in additional surface disturbing activities on public land. Events in the Mohave Valley area also can contribute to public land use. The proposed shooting range would add minimally to overall impacts with a comparatively low impact to traffic locally on Boundary Cone Road.

State Route 95 in Arizona is currently two lanes north from I-40 at Topock through the Havasu National Wildlife Refuge and four lanes through Mohave Valley and Bullhead City to where it connects with State Route 68 at the Laughlin Bridge. It also runs south in Arizona through Lake Havasu City, Parker and Quartzsite to Yuma. The route through Mohave Valley and Bullhead City creates a liability for ADOT and a feasibility study has been conducted to realign it to the east to create a four-lane access-controlled highway. This may result in heavier impacts where access points are located should the highway be constructed. It is thought most of the traffic that would use SR 95 would ultimately be accessing casinos in Laughlin or going to Las Vegas and would funnel traffic to one of the two bridges that cross the Colorado River. There is a possibility of a third bridge being built in the future. Traffic on SR 95 is currently moderate to heavy and can be expected to increase significantly with the large new developments underway.

Other potential ground disturbing actions could include mineral material development on split estate where the surface is managed by BLM and the minerals are privately owned. This is widespread in Mohave Valley on odd-numbered sections where land was originally transferred to the railroad and the surface was subsequently reconveyed to the United States. In Arizona, the mineral estate has primacy over the surface estate. As a result, the minerals may be sold or developed with minimal input from the surface owner. The State of Arizona has oversight to assure compliance with environmental laws and regulations for development of private minerals.

V. Mitigation

A. **Boundary Cone Road Alternative**

Prior to development, the AGFD will provide a detailed Plan of Development (POD) to all interested parties that includes the proposed action as described in the EA, visual simulations of the proposed shooting range from key observation points (such as the base of Boundary Cone Butte), engineering drawings of the proposed facility, including dimensions, access, drainage, fencing and other pertinent information and the mitigation measures listed below. The POD must be approved by the BLM prior to surface disturbing activities.

The AGFD will be responsible for implementing the following mitigation measures:

1. Burrowing owl and chuckwalla: These species will be relocated to appropriate habitat outside of the project area if it is determined that an individual of either species would be destroyed or the burrow of a burrowing owl would be disturbed or destroyed by project implementation. If required, the owls will be removed from the burrow and the burrow collapsed to prevent owl reentry.
2. The FMIT has stated they do not believe there are measures that could be taken to completely mitigate the adverse effects of the proposed shooting range on the spiritual values assigned to Boundary Cone Butte. However, the FMIT did identify the following specific conditions and attributes that were of particular concern: 1) noise associated with the use of the range, 2) restrictions or closure of the range during ceremonies taking place in the area, 3) size of the footprint of disturbance and, 4) protection of a "cleared circle" feature previously identified in the area of the proposed shooting range.

The BLM, in recognition of the FMIT's continued use of Boundary Cone Butte and the surrounding area in traditional cultural practices, will require the AGFD to

incorporate the following measures into the Plan of Development to address the particular concerns cited above:

- a. The AGFD will limit the "footprint", or area of ground disturbance, to no more than 20 (twenty) acres and there will be no surface occupancy on the remaining 295 acres of the patented land. If AGFD determines a need to expand the range to meet future demand, a new Plan of Development will be provided to all interested parties per normal BLM procedures for a new undertaking. A future expansion of the shooting range would be considered a new undertaking by the BLM, and would require compliance with all applicable statutes and regulations, including NEPA, Section 106 of the National Historic Preservation Act, and would require additional consultation with tribes, the public, and other concerned parties.
 - b. The AGFD will monitor noise levels, through a third party consultant, and submit a report annually to ensure that levels remain below the State noise standards for shooting range facilities. A copy of the report will be provided to the FMIT and the BLM by the AGFD upon completion. Berms and backstops will be designed to optimize noise reduction within the surrounding environment.
 - c.
 - 1) Hours of operation for the shooting range will typically be between 7 am and 10 pm, 7 days a week. The AGFD will restrict operating hours or close the range (for no more than 30 days annually) during established events identified by the FMIT to reduce possible conflict with tribal practice of traditional cultural activities associated with Boundary Cone Butte. One day equals one day or portion thereof, of a 7 am to 10 pm operation day. Closure of the range will be for no more than three (3) consecutive days except by agreement between both parties. The AGFD will coordinate annually with the FMIT to identify and create a calendar of specific dates when the shooting range would be closed. If prior identification of such dates is not possible, the following, part 2), would be implemented.
 - 2) The AGFD and FMIT will diligently work to establish a process to accommodate unanticipated events that warrant closure of the range. This will include a timeframe for prior notification (72 hour minimum), points of contact, methods of contact, and conditions that would warrant exceeding the 30 days annually, etc. If a notification process cannot be established after due diligence, no closure would occur except as established under part 1) above.
 - d. The previously identified "cleared circle" feature will be fenced or otherwise avoided and an existing access road closed to prevent public access and disturbance, providing for a minimum of 250' diameter of undisturbed surface around the feature, as measured from the center of the feature. The patented land perimeter fence, "cleared circle" feature buffer perimeter fence, and the shooting range buffer perimeter fence will be installed prior to any construction activity taking place and will remain in place during the life of the shooting range. BLM personnel will be present during fencing of the "cleared circle" feature to verify the size and location of the specified buffer, and to ensure that fencing activities do not adversely affect the feature. The AGFD will be responsible for maintenance of all fences.
3. The AGFD will coordinate with the concerned tribes to provide interpretation opportunities, such as kiosks, pamphlets, etc., at the shooting range. Any such

educational materials will be provided to educate the public about the tribes, the Mohave Valley, the Colorado River, Boundary Cone Butte, etc.

4. The AGFD will hold an annual face-to-face meeting with the concerned tribes and the BLM. The AGFD will provide a status update, coordinate a calendar for known ceremonial closures, discuss annual noise testing, and other information about the shooting range.
5. The AGFD will coordinate with the FMIT to provide adequate shooting range access to tribal law enforcement personnel to complete and maintain firearms training and qualifications.

B. Willow Road Alternative

1. Mitigation for wildlife would be the same as for the Boundary Cone alternative.
2. Mitigation measures for archaeological sites determined eligible for the National Register would be developed in consultation with the State Historic Preservation Officer and Indian tribes to resolve adverse effects and resolved prior to patent issuance. Mitigation for most archaeological sites would involve recordation and other methods of data recovery at the expense of the proponent. BLM would continue consultation with the FMIT to determine possible mitigation measures for the sacred areas identified by the Aha Makav Cultural Society.

VI. Consultation and Coordination

List of Preparers/Commentors

BLM Kingman Field Office

Joyce Cook, Realty Specialist/Project Manager
Don McClure, Planning and Environmental Coordinator
John Rose, Archaeologist
Rebecca Peck, Wildlife Biologist
Bruce Asbjorn, Outdoor Recreation Planner
Art Smith, Geologist
Paul Hobbs, Soil Scientist
Scott Elefritz, Wild Horse & Burro Specialist
Jack Spears, Range Management Specialist
Bob Hall, Public Affairs Specialist
Craig Johnson, BLM Archaeologist
Paul Misiaszek, BLM Geologist
Mike Brown, BLM Public Affairs Specialist
Ruben Sanchez, Kingman Field Manager
Jackie Neckels, Assistant Field Manager Nonrenewable Resources

BLM Arizona State Office

Gary Stumpf, Archaeologist
Mike Johnson, Deputy Preservation Officer
Carol Kershaw, Realty Specialist
Don Applegate, Outdoor Recreation Planner
Linda Marianato, Planning and Environmental Coordinator

Arizona Game & Fish Department

Bob Posey, Region III, Director
Zen Mocarski, Public Affairs Specialist

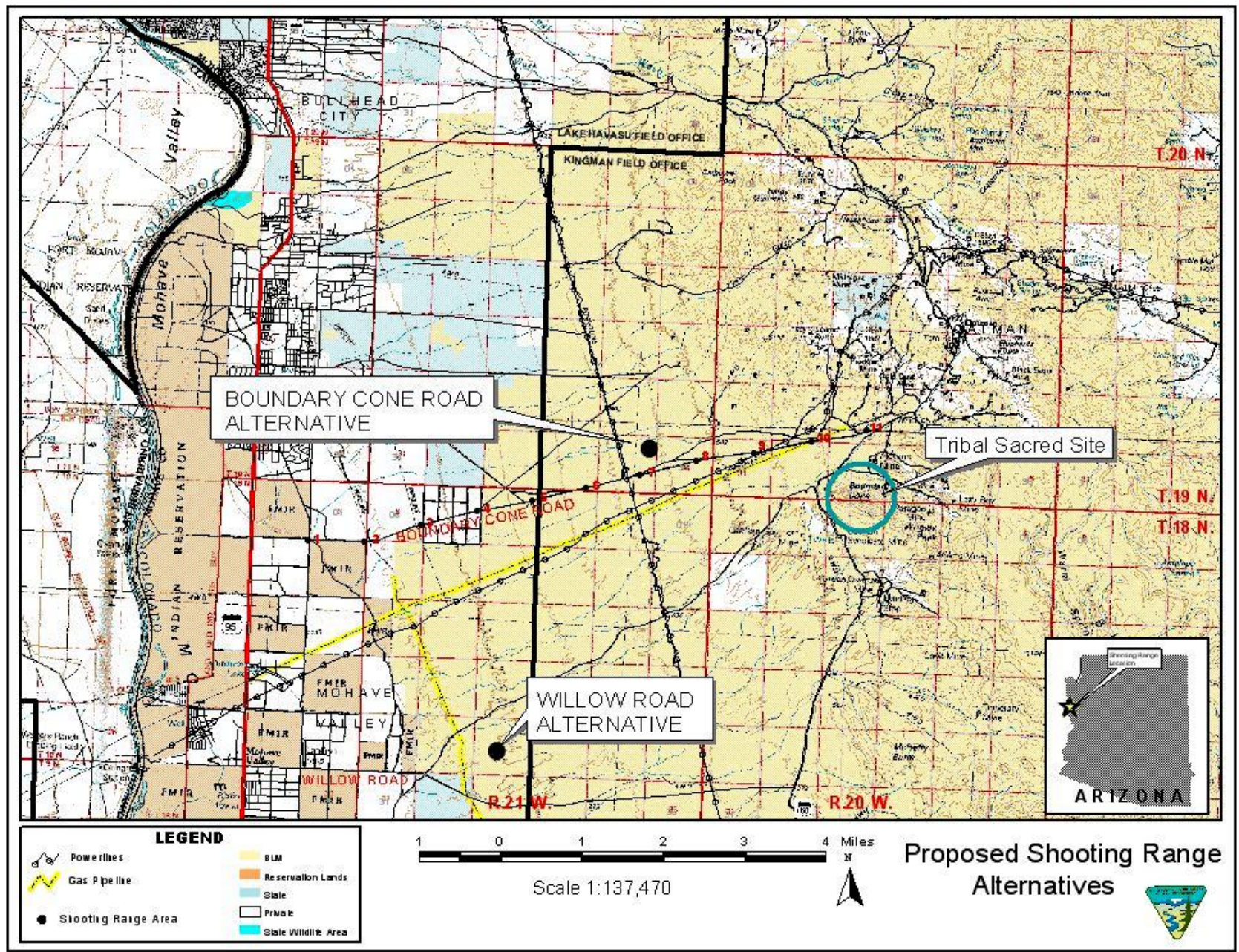
Tri-State Shooting Recreation Center, Inc.

Pat Otto, President

Others

Cherie Shanteau, U. S. Institute for Environmental Conflict Resolution

See Appendix D for a complete list of consultation and coordination activities.



APPENDIX A

Legal Descriptions

Boundary Cone Road Alternative

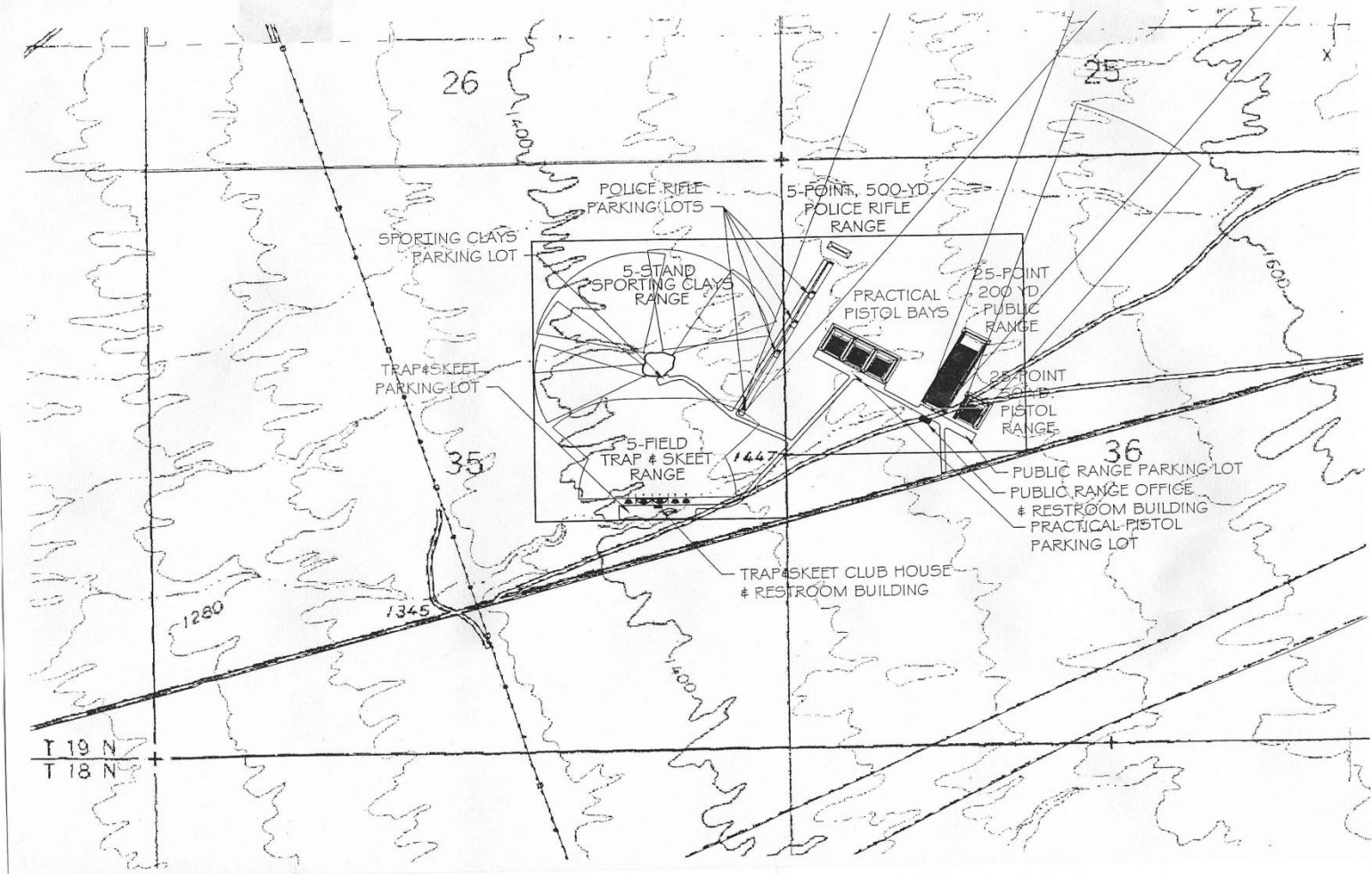
Range: Gila and Salt River Meridian, Arizona
T. 19 N., R. 21 W.,
Sec. 35, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, S $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,
NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Containing 315 acres, more or less.

Buffer: Gila and Salt River Meridian, Arizona
T. 19 N., R. 21 W.,
Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 26, S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,
SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 36, N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Containing 470 acres, more or less.

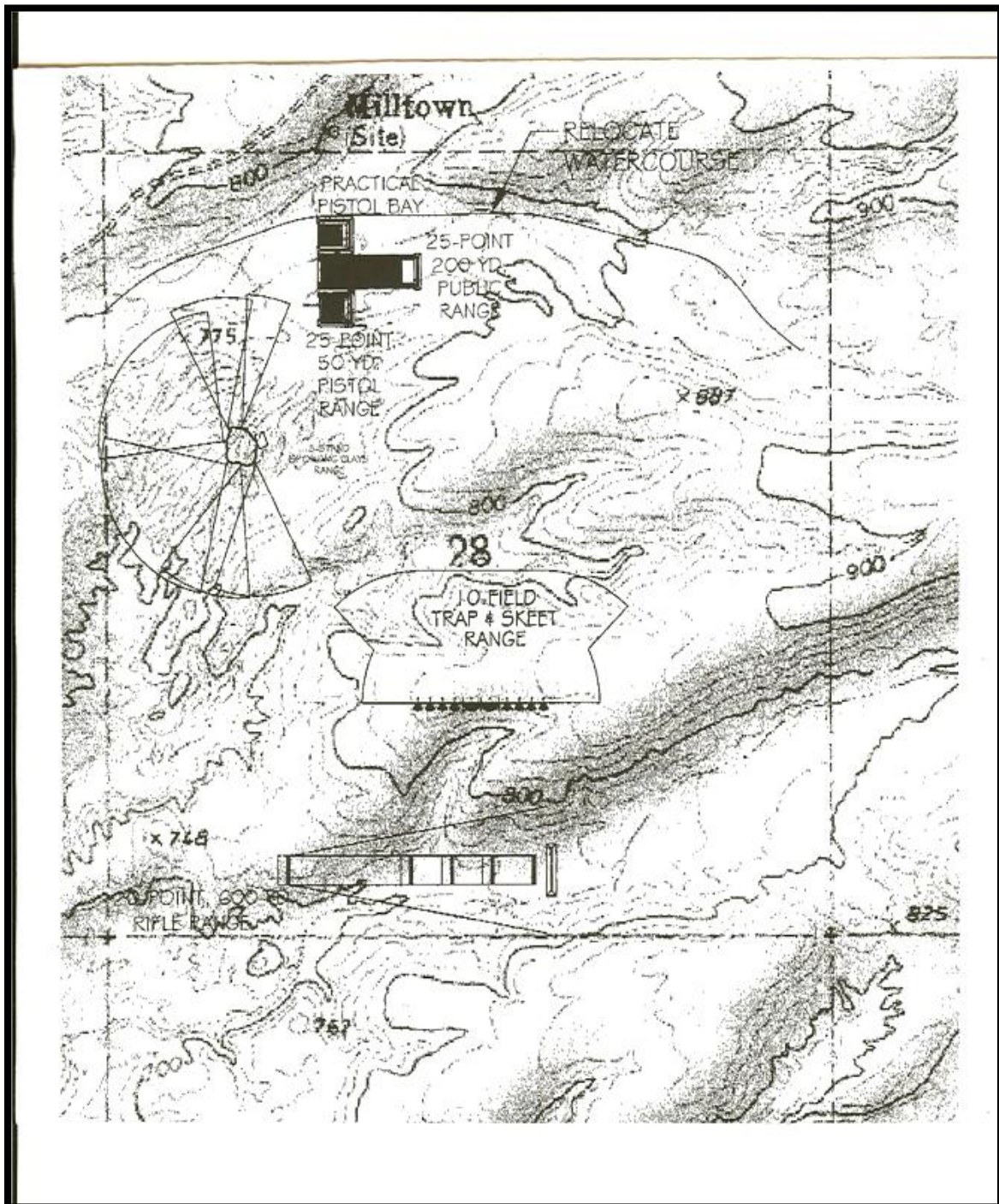
Willow Road Alternative

Gila and Salt River Meridian, Arizona
T. 18 N., R. 21 W.,
Sec. 28, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
Containing 610 acres, more or less.

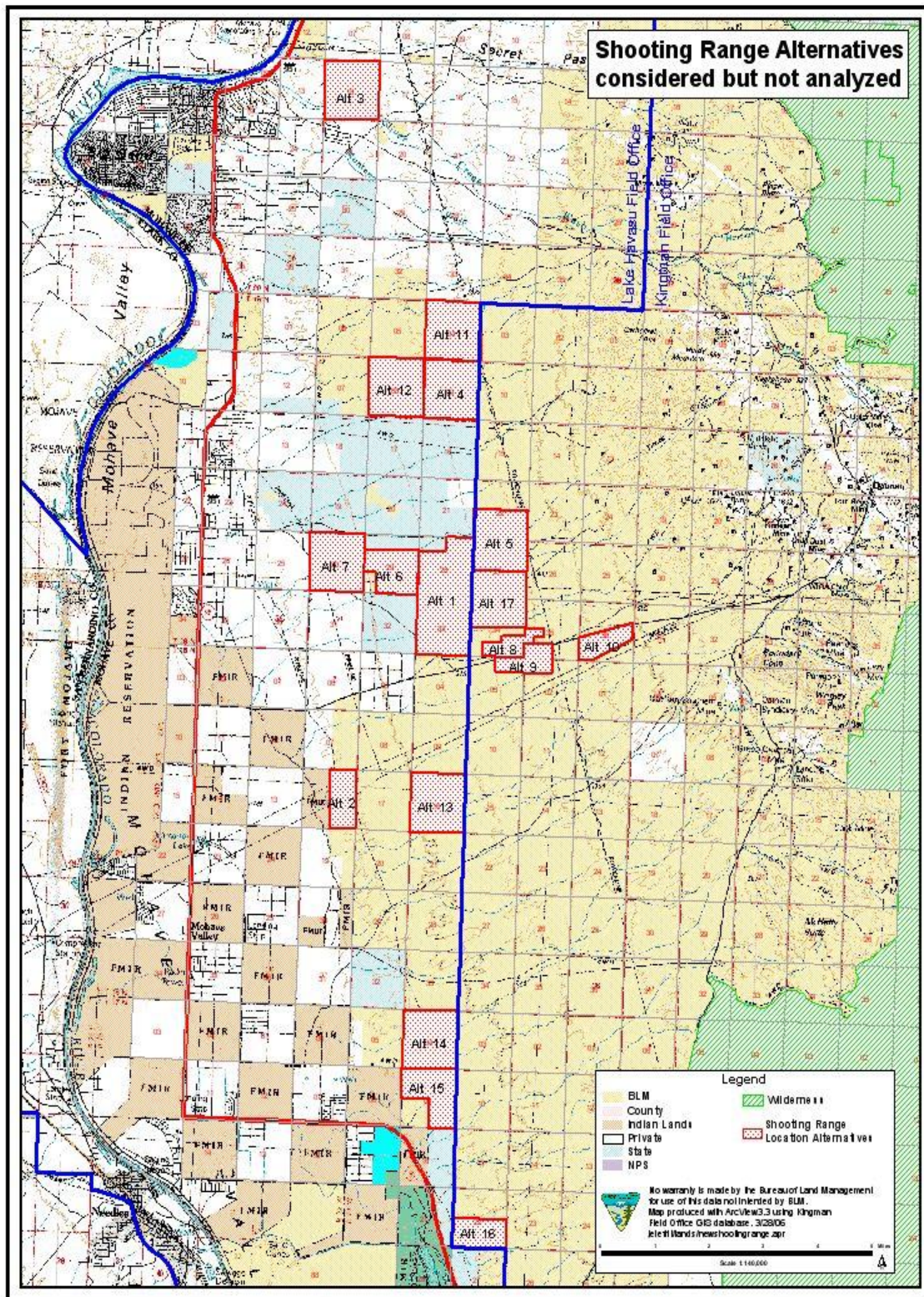
APPENDIX A - BOUNDARY CONE ROAD ALTERNATIVE
CONCEPTUAL DESIGN MAP



APPENDIX A – WILLOW ROAD ALTERNATIVE
CONCEPTUAL DESIGN MAP



APPENDIX B – ALTERNATIVES MAP



APPENDIX B
PROPOSED SHOOTING RANGE PLANNING CRITERIA

1. Within 20 miles and 30 minutes drive of major population center – Bullhead City/Mohave Valley
2. Has at least .5 mile buffer area between range and adjacent property owners.
3. Located on or near paved access.
4. Flat terrain within range footprint adjacent to natural terrain backstop
5. North shooting direction – avoids shooting into the sun during different times of the day and year.
6. 100 acres minimum foot print size.
7. Suitable down-range safety area (the area, from the shooting position, that would contain ammunition using lateral berms and a backstop, and the buffer beyond)
8. Long-term economic feasibility.
9. Located in an area not subject to encroachment by private land development.
10. No major unmitigable cultural resource issues such as intaglios, prehistoric villages, etc.
11. No surface water, riparian or major perennial watercourse within the range footprint or adjacent to site.
12. Located in Arizona.
13. Consistent with BLM land management plans, policies, directives and applicable laws.
 - a. Located outside valuable habitats such as Category I and II tortoise habitat.
 - b. Located outside of special management areas such as Wilderness and Areas of Critical Environmental Concern (ACEC).
 - c. Located in an area where there are no un-patented mining claims.
 - d. Located where there is no split estate.
 - e. Does not block existing access to public lands.
 - f. Located a minimum of 1 mile from potentially developable private and state land.
 - g. Identified for disposal in land use plan.
 - h. Consistent use of public land identified for disposal.
 - i. Outside active grazing allotment.
 - j. Outside Threatened and Endangered Species habitat.
 - k. Free from hazardous substances that are a threat to human health and safety.
 - l. Located outside wildlife movement corridors.

Appendix C. Information on Noise Levels

Sound is an acoustic energy that is measured in decibels. The decibel combines the magnitude of sound with how humans hear. Since human hearing covers such a large range of sounds, it does not lend itself to be measured with a linear scale. Instead of a linear scale, a logarithmic scale is used to represent sound levels and the unit is called a decibel or dB. The term dBA will most often be used and this refers to the loudness that a human ear would perceive. The ear has its own filtering mechanisms and the inclusion of the A after dB indicates that the scale has been adjusted or “fine tuned” to hear like a human.

The decibel scale ranges from 0 dBA, the threshold of human hearing, to 140 dBA where serious hearing damage can occur. Table 1 represents this scale and some of the levels associated with various daily activities. A serene setting might have a decibel level of 30 dBA while a peaceful subdivision might be at 40 to 50 dBA. Alongside a freeway the sound level (i.e. noise) might be in the range of 70 to 80 dBA. The transition from a peaceful environment to a noisy environment is around 50 to 70 dBA. Sustained exposure to noise levels in excess of 65 dBA can have health effects.

Noise control can occur along the path in two ways: through distance or by inserting an obstruction.

Distance is an effective noise control because geometric spreading reduces the level of sound. For a stationary single source of noise (aka, a point source), the noise expands in a bubble shape and, at double the distance, the noise level will decrease by 6 dBA.

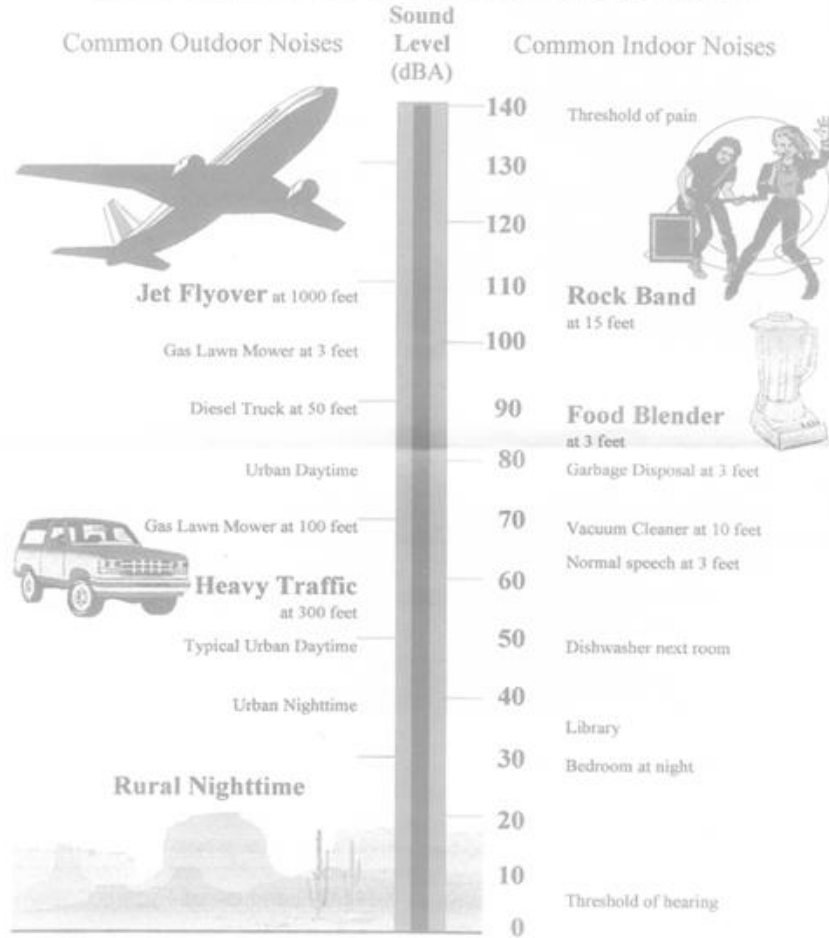
A report regarding sound and shooting ranges was prepared for the Arizona Joint Legislative Committee on Firearms Safety and Sport Shooting Ranges on January 4, 2001 and provides a formula for estimating sound levels at different distances. For every doubling of the distance from the source, the sound pressure levels will be reduced by 6 decibels over a free field. A free field is defined as a flat plane with no obstructions. Terrain, vegetation and lateral berms and backstops required to contain ammunition would provide an additional 5-10 dB(A) reduction. Conditions such as clouds, where sound carries farther, and wind, where sound is disbursed faster, could cause slightly higher or lower levels, respectively.

The second form of noise control consists of the use of walls or berms to intercept the noise. This forces sound waves to bend around them or diffract. This diffraction causes the sound waves to consume energy and thus reduces the sound level. To be effective, berms need to be at least as high as the line of sight to the facility – that is, block the view. Once the height is equal to an interception of the line of sight, a good rule of thumb is that it requires an additional 2 ft. of height for each additional 1 dB reduction in noise levels.

Desert vegetation is not likely to reduce noise levels. Research has indicated that vegetation has to be dense, deep and tall to be effective.

The above information was substantially taken from “Arizona Milepost” Spring 2003, Vol. 3 No. 2 Sound Barriers and Noise Control prepared by Larry Scofield, Arizona Department of Transportation (ADOT) and Bruce Tymer, California DOT (CALTRANS).

Common Indoor and Outdoor Noise Levels



Note: Sound is preceived differently by every individual

Table 1

The EPA studies (1974, Report #550/9-74-004) found that noise levels were best defined by collecting noise over a 24 hour period to include both daytime activities, for which people are more tolerant of environmental noise, and the nighttime, for which people are less tolerant of environmental noise. The 24-hour averaged noise level is called the Day-Night Level and abbreviated as Ldn. EPA stated that a Ldn of 45 dB would be adequate to permit speech communication in the home. An outdoor Ldn of 55 dB or less would permit speech communication at approximately 6.5 feet. EPA also recommends a 24-hour averaged sound level of 70 dB or less to protect from hearing loss. Typical noise levels found in various environments are listed in the table below:

Sound Source/Measurement Location	A-Weighted Sound Pressure Level
Pneumatic chipping hammer at operators ear, hydraulic press operating, 50 horsepower siren at 98.4 feet	120 dBA
Accelerating motorcycle at 3.3 feet, metal casting shakeout area, high-speed woodworking tools	110 dBA
Shouting at 5 feet, looms in textile mill, an electric furnace area	100 dBA
Loud lawnmower at operator's ear, subway train passing, printing press operations	90 dBA
School children in noisy cafeteria, a noisy restaurant	80 dBA
Freeway traffic at 164 feet distance, freight train at 98.4 feet, vacuum cleaner, passenger car at 50 MPH	70 dBA
Normal male voice at 3.3 feet	60 dBA
Copying machine at 6.6 feet, average residence, or a large office	50 dBA
Suburban area at night, quiet office, audiometric testing booth	40 dBA
Air conditioning in an auditorium, soft whispers	30 dBA
Quite wooded area with no wind, sound studio for movie theater	20 dBA
Anechoic sound testing chamber	10 dBA

NOTE: Noise levels are "typical" sound pressure levels during the noise event.

APPENDIX D
MOHAVE VALLEY SHOOTING RANGE HISTORY
AND CONSULTATION AND COORDINATION

July 1, 1964	Bureau of Reclamation (BOR) Lease issued to Mohave County for 372 acres on Sect. 12 in Bullhead City.
November 1, 1982	Mohave County authorized Bullhead City Gun Club (BCGC) use through 1/1/1999.
October 30, 1989	BOR Lease relinquishment accepted by BLM. BCGC allowed to remain in place through expiration.
May 8, 1992	Notification to BCGC that BLM took over management of land from BOR effective 10/30/89 and BLM was lessor instead of Mohave County.
February 23, 1993	BLM Lake Havasu Field Office (LHFO) committed to assist BCGC in finding suitable alternative on public land upon lease expiration 1/1/1999.
December 3, 1993	Request for extension of use by BCGC denied by BLM LHFO.
July 9, 1997	BLM LHFO notified BCGC of expiration and offered to assist with new location.
November 3, 1998	Meeting with BLM LHFO and BCGC to discuss options for relocation.
December 31, 1998	BCGC vacated premises.

1999 – Lake Havasu Field Office (LHFO)

Spring 1999	Mohave County Parks requested Arizona Game & Fish Department (AGFD) to assist in relocation of the BCGC shooting range. AGFD completed a feasibility assessment and analysis, identifying the need for a multi-purpose shooting range.
March 1, 1999	Briefing for Secretary of Interior from Don Ellsworth regarding site cleanup of BCGC site.
August 27, 1999	Notice of Intent (NOI) to amend the Kingman Field Office (KFO) Resource Management Plan (RMP) published in Federal Register by BLM LHFO to dispose of Sec. 28 and 33, T19N R21W for shooting range. Objections from Arizona State Land Department (ASLD), 2 miles distant from State Land, and nearby residents were received. Resolution to State Land Department objection sought.
September 5, 1999	NOI to Amend KFO RMP published in Mohave Valley News legals. Comment deadline September 30, 1999.

2000 - LHFO

April 14, 2000.	Letter to Ft. Mojave (FMIT), Chemehuevi and Colorado River Indian Tribes (CRIT) from LHFO with copy of inventory methodology.
April 27, 2000	Inquiry from Senator McCain regarding shooting range adjacent to private property owner.

May 5, 2000	Letter to ASLD requesting review of proposal in T. 19 N., R. 21 W., Sec. 28 and 33.
May 8, 2000	Letter from State Historic Preservation Office (SHPO) to LHFO regarding Class II survey sampling strategy.
June 5, 2000	Letter from ASLD regarding 2 mile buffer from State land.
September 21, 2000	Letter from ASLD requesting 2 mile buffer from State land.
October 30, 2000	Letter from Pat Otto, Tri-State Shooting Recreation Center (TSRC) advising there is no State statute or rule requiring 2 mile buffer. Note: BCGC incorporated into the TSRC.

2001- LHFO

March 6, 2001	Arizona Game & Fish Dept. (AGFD) filed application with BLM LHFO for land in T19N R21W Secs. 28 and 33. Other locations considered but eliminated due to homes & businesses within .5 mile were T20N R21W Sec. 18, T19N R21W Sec. 29 and Sec. 30, T18N R21W Sec. 18.
May 17, 2001	Federal Register Notice published to amend KFO RMP for Secs. 28 and 33 in LHFO.
June 7, 2001	Dear Reader Letter from LHFO with Federal Register Notice. Sent to approximately 72 addresses.
June 9, 2001	Letter from Community of Mountain View Ranches opposing shooting range in Sec. 28 and 33.
June 20, 2001	Letter from ASLD objecting to placement of shooting range adjacent to State land.
June 25, 2001	Letter opposing shooting range received from area residents Darlyne & Donald Davis.
June 28, 2001	Letters from public objecting to and supporting shooting range.
July 2001	Project on hold, looking at moving east into KFO.
September 5, 2001	Public Meeting, Bullhead City Council Chambers, by BLM LHFO.
September 7, 2001	Letter to Donald & Darlyne Davis from SD in response to 6/25/01 letter.
October 15, 2001	LHFO requested assistance from KFO at Project Coordination Meeting to find a suitable location for the shooting range. Several locations were considered and a location was identified based on AGFD range siting criteria and avoidance of BLM sensitive resources.
December 4, 2001	Letter from Senator Jon Kyl regarding action of shooting range.
December 20, 2001	Letter from AGFD to LHFO providing requested information.

2002 – Kingman Field Office (KFO)

March 7, 2002	Letter to Senator Jon Kyl. Committed to find a suitable site.
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September 30, 2002	AGFD files application with BLM KFO for Boundary Cone Road location. An interdisciplinary team was identified.
October 21, 2002	BLM KFO Project Coordination Meeting. Determined interdisciplinary (ID) team members and scheduled team meeting. Joyce Cook, Realty Specialist/Project Manager, Don McClure, Planning & Environmental Coordinator, John Rose, Archaeologist, Andy Whitefield, Land Law Examiner, Jack Spears, Range Conservationist, Scott Elefritz, Wild Horse & Burro Specialist, Paul Hobbs, Soil Scientist/Hazmat, Art Smith, Geologist.
October 24, 2002	Class III survey completed on AGFD proposed location.
November 21, 2002	Letters to Hualapai, FMIT, Hopi, CRIT and Yavapai-Prescott Indian Tribes regarding proposed shooting range and cultural survey results.

2003 - KFO

January 6, 2003	AGFD letters to Environmental Protection Agency (EPA) and Arizona Department of Environmental Quality (ADEQ).
January 8, 2003	Personal contact of three occupied residences on Ellery Road, and one concerned citizen in Sun Valley subdivision by Joyce Cook and Bob Posey AGFD.
February 18, 2003	Presentation to Mohave County Public Land Use Committee by Bob Posey, Joyce Cook and Pat Otto. Forwarded resolution of support to Board of Supervisors.
March 26, 2003	Notice of Realty Action and Intent to Amend the Kingman RMP published in the Federal Register.
March 24, 2003	Public Notice mailed to mailing list.
March 25, 2003	Correction to Public Notice mailed to mailing list changing the comment period from 30 days to 45 days.
March 26-May 10	Public comment period. Twenty-three Public Comment Forms provided at the public open house on April 16, 2003 were received, all in support, as well as 8 letters in support and 1 letter expressing concern about sound. Three public comment forms supporting the range were received postmarked after the May 10 comment deadline.
April 1, 2003	Correction to Notice of Realty Action and Intent to Amend the Kingman RMP, changing the comment period from 30 days to 45 days, published in the Federal Register.
April 9, 2003	Bob Posey discussed proposal with Mohave County Planning and Zoning.
April 16, 2003	Public Open House held with 28 people in attendance.
April 23, 2003	Letter dated 4/17/03 received from Ahamakav Cultural Society - FMIT expressing concern and requesting ethnographic study (Ethnography: a branch of anthropology dealing with the scientific description of individual cultures).
April 28, 2003	Discussion between John Rose and FMIT regarding concerns.

May 2, 2003	John Rose provided additional information, including proposed action, purpose and need, and sound testing to FMIT.
May 29, 2003	John Rose, Andy Whitefield and Duane Aubuchon of AGFD met with FMIT regarding concerns.
June 4, 2003	Joyce Cook met with parties expressing concern about sound. After seeing actual location of the proposed shooting range, parties agreed the sound would not be a problem.
June 7, 2003	Sound testing conducted by AGFD contractor at Boundary Cone Road location using a 30-06 rifle and a 12 gauge shotgun. All sound levels were below the Arizona requirement of 64 dB(A) when measured within 20' from the nearest occupied structure at the perimeter of the proposed shooting range.
July 24, 2003	John Rose, Joyce Cook, Ruben Sanchez, Assistant Field Manager Nonrenewable, Don Charpio, Acting Field Manager and Bob Posey met with Ft. Mojave Tribal members on site to discuss their concerns.
August 6, 2003	Letter to FMIT requesting specifics regarding their concerns.
September 3, 2003	Letter from FMIT requesting ethnographic study.
October 3, 2003	Letter to FMIT stating there is no justification for an ethnographic study and requesting any information they wanted to share. Ethnographic study may typically be for a planning effort, not for specific project scale.
October 23, 2003	Letter from FMIT objecting to determination an ethnographic study is not necessary.
October 29, 2003	John Rose met with FMIT members on site and showed them the sites discovered during archaeological clearance. All agreed nothing was prehistoric. John provided sound information for their review. Still concerned with visual impacts and need for ethnographic study. All agreed to meet with the SHPO.
December 12, 2003	Public Review Copy of Environmental Analysis (EA) mailed to 207 on mailing list including Hualapai Tribe and FMIT.
December 12, 2003	News Release to local media regarding availability of public review copy of EA.

2004 - KFO

January 14, 2004	<p>Comment period ends for public review copy of EA. The following comments were received:</p> <p>Five letters of support were received expressing the desire and need for a shooting range in the area.</p> <p>One phone call expressing concern the shooting range will lower property values was received. This comment was addressed under the cumulative impacts section.</p> <p>A letter was received from Mohave County Flood Control District expressing concern with alteration of washes. Coordination and review of design plans was addressed in the proposed action. A response letter was prepared.</p>
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A letter was received from the Arizona Department of Transportation (ADOT) regarding a possible conflict with the State Route 95 realignment. This comment was addressed in the cumulative impacts section. A response letter was prepared.

January 21, 2004	Response letters to the Mohave County Flood Control District and ADOT were mailed out.
January 22, 2004	A meeting with FMIT members, the SHPO and BLM State and Field Office archaeologists was held on site. Expressed concerns about visual and audible impacts to Boundary Cone.
March 18, 2004	A meeting was held with BLM staff and managers and FMIT Tribal Council. The tribal representatives stated there would be visual and audible impacts on tribal members visiting Boundary Cone. Exact effects could not be disclosed due to need to preserve religious confidentiality.
April 14, 2004	Letter from Hualapai Tribe stating Boundary Cone is a traditional cultural property and requested a meeting to discuss potential impacts.
April 26, 2004	A second sound test was contracted by AGFD and conducted with Linda Otero from the FMIT present. Pistols, rifles and shotguns were fired to simulate an actual shooting range—without berms or backstops. Gunfire could be heard from Boundary Cone as well as echoes from the Black Mountains but was well below (50-58.4 dB(A)) the state requirement of 64 dB(A) when measured within 20' from the nearest occupied structure.
May 20, 2004	John Rose met with Hualapai Tribal chairwoman and members to discuss potential impacts to Boundary Cone, considered a sacred place by the tribe.
May 28, 2004	John Rose met with Hualapai Tribal members on site. The area is considered to be part of their aboriginal territory.
June 23, 2004	Copy of mineral appraisal provided to Newmont Realty Company by AGFD.
June 29, 2004	Contacted U. S. Institute for Environmental Conflict Resolution (Udall Foundation) to start Alternative Dispute Resolution (ADR) process.
July 21, 2004	Received inquiry from Congressman Trent Franks office with copies of constituent letters.
August 30, 2004	Response to Congressman Trent Franks office faxed from BLM Arizona State Office.
September 20, 2004	Newmont Realty Company expressed disagreement with mineral appraisal provided by AGFD.
September 23, 2004	Letter from Salt River Pima-Maricopa Indian Community. Project in ancestral territory. Defer consultation to the CRIT.
October 7, 2004	Received letter from Salt River Pima-Maricopa Indian Community deferring consultation to CRIT.

October 18, 2004 John Rose met with FMIT Tribal members and a cultural resource consultant from the Quechan Tribe on site to look at recent prehistoric discovery on the proposed property considered to be sacred. The site has been recorded.

Alternative Dispute Resolution (ADR)

Ongoing objections against the proposed action were expressed by local Native American Tribes with no avenue for resolution or mitigation offered. BLM entered into a contract with the Udall Foundation in September 2004. A series of stakeholder meetings using an ADR process resulted in the development of an alternative location, the Willow Road alternative, for consideration and analysis.

October-November Interviews with BLM, AGFD, Tri-State Shooting Recreation Center, Ft. Mojave and Hualapai Tribes, ASLD, etc. December 9, 2004. Stakeholder Meeting at Mohave Community College to discuss possible alternatives. Two alternatives were visited that day. Tribes and ASLD were going to take locations under consideration. Tribes may be interested in a tour of 7-Mile Shooting Range and elder tour of 4 sections being considered.

2005 - KFO

February 8, 2005 Tour of 7 Mile Shooting Range and 4 locations being considered by approximately 20 members of FMIT and Hualapai Tribe. (Sec. 16 (seen from a distance), 28 T18NR21W, 9 and 22 T17NR21W)

February 25, 2005 Second stakeholder meeting. Tribes advised Sec. 28 OK. Sec. 9 Not OK. Would need elder trip to consider Sec. 16.

March 2, 2005 Field trip with Bob Posey, Don McClure and Joyce Cook to look at Sec. 16 and 28 T. 18 N., R. 21 W. to determine feasibility. Access issues too great for Sec. 16. Eliminate from further consideration. Wish to reconsider Sec. 9, T. 17 N., R. 21 W. Has good access and power and a lot of disturbance.

March 2, 2005 TSRC Meeting. Voted to table Boundary Cone Road location in favor of consideration of Sec. 28 and Sec. 9.

Mar/Apr, 2005 Cultural reconnaissance of Willow Road Sec. 28

March 15, 2005 Greg Keller, ASLD. Advised they would prefer Sec. 9. Could live with E½ of Sec. 28. If no significant cultural found, will discuss further.

March 17, 2005 Joyce Cook presented Secs. 28 and 9 as possible alternative locations in BLM Project Coordination Meeting.

March 29, 2005 Letter from AGFD stating they have reached an impasse on mineral rights purchase from Newmont Realty on Boundary Cone Road site.

April 8, 2005 Letter from KFO Field Manager to FMIT Tribal Chair requesting a meeting. No response.

April 13, 2005 Field trip with Tri-State members to Willow Road Sec. 28 site. Felt location was too remote.

April 19, 2005	Note from AGFD engineers that Willow Road site Sec. 28 and power plant site Sec. 9 would be too expensive to build. Cultural survey suspended.
May 5, 2005	One possible additional alternative offered for tribal consideration, 1 mile west of Boundary Cone Road location, north of Mohave County pit. Category II desert tortoise habitat. This location would require a plan amendment and begin the environmental process all over again including cultural survey, mineral report, hazmat survey, clearances, publications, etc. Minerals are Federal.
June 22, 2005	Craig Johnson, KFO Archaeologist, meets with Linda Otero at FMIT Cultural Office to discuss cultural landscape.
July 12, 2005	Meeting with Udall Foundation, FMIT and KFO Archaeologist to discuss possible new alternative 1 mile west of Boundary Cone Road location. Same cultural concerns as Boundary Cone Road location.
September 1, 2005	Final ADR meeting held.
September 27, 2005	Formal tribal consultation meeting between BLM and FMIT. Discussed access, archaeological and spiritual values need to be determined.
October 3, 2005	Field trip with FMIT cultural rep, KFO BLM Archaeologist and Realty Specialist to Willow Road Sec. 28.
November 3, 2005	Craig Johnson telephones Linda Otero to inquire if elders were taken out to Sec. 28 Willow Road location. Linda tells Craig elders were not taken due to illness.
Nov 05/Jan 06	Cultural reconnaissance on Willow Road Sec. 28 resumed and completed. 244 sites identified.
December 14, 2005	Meeting with TRSC and BLM KFO Field Manager & AGFD. Concerns regarding time and money expended. BLM is considering all viable alternatives.
December 9, 2005	AGFD Engineer provided conceptual layout of facilities for Willow Road site and cost estimate for construction.
December 29, 2005	Letters to ADOT, ASLD and Federal Highways Administration (FHWA) requesting comments regarding Willow Road Sec. 28.

2006 - KFO

January 30, 2006	Letter from ASLD advising residential designation for Sec. 32 southwest of Sec. 28 and suggesting shooting be directed to the east and facilities be relocated so as not to impact the placement of the State Route 95 realignment. Its placement should buffer State land from the shooting range.
February 9, 2006	Letter from ADOT advising Willow Road Sec. 28 is located in two of the three study corridors for the realignment of State Route 95 and in particular the preferred corridor. A shooting range so close to the road would not be favorable. Two of the corridors encompass the west $\frac{3}{4}$ of the Willow Road alternative.

April 11, 2006	Craig Johnson called Linda Otero (FMIT) via telephone to inquire about access across tribal land. Linda requested formal letter of request and requested the EA be switched to EIS.
April 12, 2006	Meeting with Bob Posey, AGFD, to update EA and discuss status and schedule.
April 25, 2006	Letter to Nora McDowell, FMIT Tribal Chairperson, regarding status, scheduling a meeting, and requesting information on access on reservation lands and any cultural or spiritual information.
May 1, 2006	Letter from SHPO regarding clarification needed on cultural survey reports.
May 3, 2006	Federal Register Notice provided to BLM Washington for review.
May 3, 2006	Meeting with TSRC with Ruben Sanchez acting on behalf of Field Manager to provide update of progress and anticipated schedule.
May 22, 2006	Briefing by Field Manager to State Director regarding progress and anticipated schedule.
May 22, 2006	Meeting with Field Manager and FMIT Tribal Chair to discuss progress and anticipated schedule. Provided process for access across tribal land, expressed concern with alternatives and affects on spiritual values and maintains there is nothing that can be done to mitigate the impacts of a shooting range to the spiritual ties and connections to the land and reiterated there are no plans for a shooting range on tribal lands.
June 14, 2006	Mailed 60-day Governor consistency review letter. Review period ends August 13. Advised Larry Adams Governor review letter was mailed.
June 16, 2006	Mailed 248 Dear Reader letters including Hualapai Tribe and FMIT with website where EA could be obtained. 19 returned. Mailed 3 hard copies of EA and 1 CD per requests.
June 20, 2006	Joyce Cook talked to Greg Keller at ASLD. Welcome opportunity for input on layout of facilities if Willow Road location is chosen.
June 21, 2006	Federal Register Notice published. 30-day protest period for plan amendment on Boundary Cone Road location ends July 21, 45-day comment period on R&PP suitability for Willow Road location ends August 7.
June 21, 2006	State Director (Elaine Zielinski) and Joannie Lossaco tour of alternative locations.
July 3, 2006	Letters to FMIT and Hualapai Tribe regarding eligibility determinations for Boundary Cone Butte and Section 28 requesting their concurrence.
July 3, 2006	Letter to SHPO providing copies of cultural reports for the Boundary Cone and Willow Road locations and requesting a meeting and concurrence with eligibility determinations.
July 5, 2006	Letter from Arizona Department of Environmental Quality (ADEQ) regarding mitigation of particulate matter (dust) disturbance during construction and provided guidelines.

July 7, 2006	Meeting with Gary Stumpf, BLM lead Archaeologist, Craig Johnson and Ann Howard (SHPO) regarding eligibility determinations. SHPO will not be able to do a programmatic agreement for Boundary Cone Road location, may be able do one for Willow Road location. Will need Advisory Council on Historic Preservation (ACHP) consultation on Boundary Cone Road location.
July 13, 2006	Joyce Cook talked to Ric Bradford, AGFD, about indemnification statement.
July 13, 2006	Letter from Shirley Montgomery, citizen, in opposition to shooting range regarding noise and property values. Same letter sent to BLM Washington Protest Coordinator.
July 20, 2006	Received letter from AGFD acting on behalf of the Governor. Consistent with State plans, policies and programs.
August 2, 2006	Joyce Cook talked to BLM Washington Protest Coordinator Brenda Hudgens-Williams. Received 2 letters in opposition and 4 letters in support of the shooting range. Opposition letters could be dismissed for not following protest procedures as long as senders did not have standing, which they did not.
August 4, 2006	Letters to FMIT and Hualapai Tribe and SHPO requesting concurrence with determinations of eligibility with updated eligibility report.
August 8, 2006	Letter to ACHP inviting their participation in consultation on the Boundary Cone Road alternative.
August 14, 2006	Received letter from Broadwing Communications advising there was no conflict with their fiber optic cable.
August 16, 2006	Letter to ADEQ advising we were providing copy of guidelines to AGFD. Copy sent to AGFD.
August 21, 2006	Craig Johnson returned telephone call to Linda Otero (FMIT) regarding comments about shooting range.
August 30, 2006	Email received from Kelly Yasaitis Fanizzo of the ACHP. Letters to Wayne King and Secretary of Interior attached advising they would participate in consultation.
September 12, 2006	Conference call with ACHP, Gary Stumpf, and BLM KFO. ACHP will make contact with SHPO and tribes. Future conference call with all.
September 13, 2006	Joyce Cook talked to Larry Adams regarding ACHP conference call.
September 13, 2006	Joyce Cook talked to Bob Posey regarding ACHP conference call. Need additional information from AGFD regarding access across Indian Reservation lands and costs of indoor shooting range.
September 21, 2006	Briefing paper provided to ADOT, FHWA and contractor involved in SR 95 realignment by John Reid, BLM ADOT Liaison.

September 25, 2006	Letter to Bob Posey, AGFD, cc to ACHP, requesting information regarding access across Indian Reservation land to Willow Road location and costs of operating an indoor shooting range.
September 25, 2006	Certified letter to Nora McDowell, cc to ACHP and Linda Otero (FMIT), regarding sacred sites at Willow Road location, which location would have the greatest impact to sacred values, other acceptable locations on public land for a shooting range and an indoor range option at one of the locations.
October 17, 2006	Conference call with ACHP (Monique Fordham & Kelly Yasaitis Fanizzo), Gary Stumpf, BLM KFO and Ann Howard SHPO. Still trying to make contact with Linda Otero. No response to 9/25/06 letters to FMIT Tribal Chair and AGFD. Discussed sites on Willow Rd location and information needed by SHPO, if they should be considered individually or as a whole and determine eligibility. Decision on location can't be made until Sec. 106 is complete. Sample survey needed. Next conference call anticipated sometime week of Nov. 6 after Oct. 30 deadline in FMIT letter.
October 17, 2006	Phone call between Gary Stumpf and Ann Howard SHPO. Discussed possibility of Programmatic Agreement rather than Memorandum of Agreement (MOA) to outline what will be required should that location be selected. Gary will draft agreement. If agreed upon by the ACHP, Sec. 106 could be considered complete.
October 17, 2006	Joyce Cook left message for Bob Posey (AGFD) regarding 9/25/06 letter. He is out until 10/23/06.
October 18, 2006	Craig Johnson left message for Linda Otero (FMIT) to discuss issues on shooting range.
October 24, 2006	Linda Otero attempted to contact Craig Johnson, she left a message.
November 6, 2006	Email from Bob Posey, AGFD. Cost of construction for indoor shooting range approximately \$10 million. Still waiting for maintenance costs. Letter to FMIT regarding access pending.
November 6, 2006	Wayne King talked to Linda Otero (FMIT) regarding conference call scheduled for tomorrow. Wayne advised we were discussing a point of process only and did not feel their participation at this point was necessary.
November 7, 2006	Conference call with ACHP (Monique Fordham & Kelly Yasaitis Fanizzo), SHPO (Ann Howard & Carol Griffith) and BLM (Wayne King, Ruben Sanchez, Craig Johnson, Joyce Cook, Don McClure, Gary Stumpf). Purpose was to find out if a Programmatic Agreement would be an acceptable approach for Willow Road. Good approach. BLM admonished for not getting tribal participation on conference call. Don't send out agreement for review until after a conference call has been scheduled with tribes. ACHP has not acted in the role BLM expected them to. ACHP will try to schedule for 11/28.
November 7, 2006	Email to Pat Otto of TSRC copy to Bob Posey (AGFD) and others in BLM regarding the conference call.
November 8, 2006	Phone call from Rad Green of Mohave Sportsman Club regarding status of Mohave Valley Shooting Range. Currently have an agreement with the BCGC for the Trap Range at 7-Mile Hill Shooting Range.

November 9, 2006	Wayne King received an email dated Nov. 6, 2006 from Nora McDowell, FMIT Tribal Chair, requesting participation in Nov. 7, 2006 conference call. Wayne's email had not been working properly for a week – received after the fact.
November 9, 2006	Email from Wayne King to Gary Stumpf regarding BLM expectations of ACHP with regard to tribal participation. This consultation record thru 10/17 provided as attachment as well as Shooting Range 106 Compliance document providing a record of conference call notes.
November 20, 2006	Copy of letter from Hualapai Tribe to ACHP received. Stated BLM is not fulfilling their consultation obligations under the NHPA. Their main concern is the protection of Boundary Cone and its landscape.
November 27, 2006	Email from ACHP to Gary Stumpf advising conference call on 11/28 would not work for most parties involved and they would be responding to information provided by Wayne King on Nov. 9.
November 28, 2006	Email from ACHP soliciting date for next conference call during week of Dec. 11. Responded the 14 th or 15 th would work for KFO, preferably the 14 th .
November 28, 2006	Email from ACHP to Gary Stumpf responding to Nov. 9 email from Wayne. ACHP provided their viewpoints and clarifications and advised that they would provide copies of all documentation received from the tribes to BLM but ACHP involvement does not substitutes for BLM's responsibility to consult with the tribes.
November 29, 2006	Email from ACHP tentatively scheduling next conference call for December 15.
November 29, 2006	Email to Pat Otto (TRSC) with copy to Bob Posey (AGFD) and others regarding next scheduled conference call and website address for ACHP.
November 29, 2006	Letter to ACHP responding to points made in letter from Hualapai Tribe letter of November 15, 2006 to ACHP.
November 30, 2006	Telephone call from Bob Posey, AGFD. Received information from Phoenix regarding indoor shooting range and will be providing it.
December 1, 2006	Email from Wayne King sending agenda for conference call scheduled on Dec. 15, 2006.
December 4, 2006	Email from TSRC cancelling December monthly meeting.
December 5, 2006	Email from Craig Johnson providing Tribal Consultation Record, EA Alternatives and Alternatives Map for conference call on Dec. 15, 2006.
December 12, 2006	Email from JB Wise (Congressman Franks) wondering why BLM is still pursuing tribal consultation.
December 13, 2006	Email response to JB Wise regarding Section 106 consultation requirements.

December 15, 2006 Conference call with ACHP (Monique Fordham & Kelly Yasaitis Fanizzo, Nancy Brown, Valerie Hauser, Reid Nelson), SHPO (Ann Howard & Carol Griffith) and BLM (Wayne, Ruben, Craig, Joyce, Don, Gary), Hualapai Tribe (Loretta Jackson Kelly) and FMIT (Nora McDowell, Linda Otero). SHPO relayed there is not enough information on Willow Road sites. Programmatic Agreement not acceptable. ACHP stated we should pick an alternative, then complete Section 106. Loretta stated she thought an EIS is warranted. ACHP, SHPO and Tribes felt an ethnographic study is warranted. Nora advised costs should not be a consideration when picking a location and legal action may be pursued. All felt the AGFD and TRSC should be present at next conference call.

December 19, 2006 Ruben Sanchez and Craig Johnson met with Bob Posey to provide an update on the 12/15/06 conference call. He is willing to participate in the next conference call.

2007 - KFO

January 5, 2007 Ruben Sanchez met with Pat Otto. Pat advised he and Larry Adams have scheduled a meeting with the State Director 1/23/07 with appointments being scheduled the same day with Trent Franks and Jon Kys office.

January 17, 2007 Next ACHP conference call scheduled for 1/25/07.

January 17, 2007 ACHP conference call for 1/25/07 postponed by ACHP.

January 17, 2007 Email from Joyce Cook to Sarah Murray, LHFO Archaeologist requesting information regarding tribal consultation while project was considered by LHFO.

January 22, 2007 Response from Sarah Murray regarding LHFO tribal consultation record.

January 22, 2007 Email from Kelly Yasaitis Fanizzo at ACHP asking the status of the ethnographic study.

January 22, 2007 Conference call with Wayne King, Ruben Sanchez, Craig Johnson, Joyce Cook, Don McClure, Elaine Zielinski, Mike Taylor, Kathy Pedrick regarding 1/23/07 meeting with TRSC representatives.

January 23, 2007 Pat Otto, Larry Adams, Wayne King and State Director Elaine Zielinski meeting. Discussed prolonged timeframe project has taken and need for completion of Section 106 process.

January 25, 2007 Email from Craig Johnson to Kelly Yasaitis Fanizzo at ACHP regarding a field trip for all tentatively scheduled for February 27 and scheduling of another conference call. Regarding an ethnographic study, advised we are considering several options to obtain the necessary information.

January 25, 2007 Email from Ann Howard at SHPO that she and Carol Griffith can attend on 2/27 and requested lodging information.

January 26, 2007 Email from Kathy Pedrick to BLM Washington Office staff providing consultation information and inviting them to the 2/27 field trip.

January 29, 2007 Email from Kelly Yasaitis Fanizzo at ACHP. February 27 will not work for them for a conference call.

January 31, 2007	Email from Craig Johnson to Kelly Yasaitis Fanizzo at ACHP clarifying 2/27 was for a field trip and availability for a conference call.
January 31, 2007	Email from Kelly Yasaitis Fanizzo at ACHP. Checking on available dates. Due to budget constraints, asked if BLM would be able to fund travel. Second email from Kelly Yasaitis Fanizzo advised they are available for a conference call 3/5-9.
January 31, 2007	Email from Loretta Jackson-Kelly. Available for conference call 3/5-9.
February 1, 2007	Email from Craig Johnson regarding conference call dates of 3/5-9 and possible field trip dates of 3/30 and 4/11.
February 6, 2007	Wayne King, Craig Johnson, Don McClure, Joyce Cook and Ruben Sanchez met with Andy Jacobs, Regional Representative for Senator Kyl and Carlos Sierra, Staff Assistant for Senator McCain. Copies of the EA, this consultation & coordination record and Section 106 flowchart for Boundary Cone and Willow Road locations were provided. Showed powerpoint presentation with photos being prepared for ACHP.
February 6, 2007	Craig Johnson talked to Linda Otero (FMIT). Linda asked about the ethnographic study. Craig advised we are looking at a possible oral history to determine need. Craig asked if they would be available for the conference call on March 5, 8 or 9 and proposed field visit on 4/11. She will check into it and get back to him.
March 6, 2007	Letter from Hualapai Cultural Resources Dept to ACHP regarding impacts to Boundary Cone Butte.
March 8, 2007	Conference call with ACHP, SHPO, AGFD, TRSC, JB Wise, Congressman Franks office, BLM, FMIT and Hualapai Tribe. Willow Road alternative dropped from further consideration due to Section 106 & other issues as non-viable. Field trip with all scheduled for April 11.
April 3, 2007	Email to Bob Posey AGFD providing him with talking points for the April 11 field trip.
April 3, 2007	Letter from ACHP to Wayne King advising they do not believe BLM has completed the process of identifying historic properties within the area of potential effects and recommended BLM complete the identification process with the Tribes. Then evaluate historic significance and apply criteria of adverse effect.
April 11, 2007	Field Trip with ACHP, SHPO, AGFD, TRSC, FMIT and Hualapai Tribe. Stopped at 7-Mile Hill Shooting Range, base of Boundary Cone Butte, and the proposed Boundary Cone Road location. Upon conclusion, met with ACHP, SHPO, TRSC regarding future follow-up. BLM will offer tribes final opportunity to submit effects. BLM will then proceed with determination of effect and apply the criteria for adverse effects and potential resolution as prescribed in 36 CFR 800. SHPO advised they will not be willing to sign an MOA to document mitigation for adverse impacts to a National Register eligible property.
April 13, 2007	Updated State Director Briefing Paper to include above field trip.

April 27, 2007	Letter from Acting State Director to Larry Adams of TRSC in response to a letter dated March 26, 2007 to Senator John McCain. Explained laws require agencies take extra steps to ensure Federal actions do not negatively impact Native Americans. Could not address request for introduction of legislation since BLM does not have legal authority to propose or discourage legislation.
May 10, 2007	Letter from Wayne King to ACHP responding to April 3 letter regarding determination and finding of adverse effect on Boundary Cone Butte, Traditional Cultural Property and proposing an MOA with stipulations and requesting ACHP comments.
May 10, 2007	Letters from Wayne King to ACHP, SHPO, FMIT and Hualapai Tribe regarding requesting comments regarding determination of adverse effect and MOA proposal.
June 25, 2007	Letter from ACHP to Wayne King recommending the No Action alternative. If BLM believes additional consultation would be unproductive, recommended terminating consultation.
June 25, 2007	Letter from SHPO to Wayne King deferring to the ACHP regarding further consultation requirements.
June 25, 2007	Briefing paper for BLM Director prepared by Kathy Pedrick, BLM Acting State Deputy Preservation Officer, providing status of Sec 106 process.
June 27, 2007	Conference call with Elaine Zielinski, Kathy Pedrick, Mike Taylor, Julie Decker, Becky Heick, Bernadette Lovato, Wayne King, Ruben Sanchez, Joyce Cook, Craig Johnson to brief Washington Office staff Luke Johnson, Bud Cribley and Robin Burgess to discuss termination of consultation with the ACHP by the BLM Director. No decision on alternatives (No Action or Boundary Cone Road) will be made until after the 45 day comment period required by ACHP is complete.
July 10, 2007	Mike Taylor met with Larry Adams.
July 11, 2007	Mike Taylor met with Pat Otto.
October 9, 2007	Becky Heick (CRDM) met with Chairman Timothy Williams of the FMIT. Indicated he would talk to Tribal Council and respond within a couple of weeks. Response to questions provided on 10/10/07 by Ruben Sanchez. Followup emails and phone calls on 10/23, 10/24, 10/25, and 10/29. No response.
November 21, 2007	Letter from Becky Heick to FMIT regarding 10/9 meeting and followup with no response. BLM understands this to mean their position is unchanged.
December 3, 2007	Email forwarded by LHFO from Stephen and Linda Bell inquiring about the lengthy processing time for the shooting range.
December 3, 2007	Ruben Sanchez called Stephen and Linda Bell and explained where we are in the process.
December 5, 2007	Conference call between BLM KFO, CRD, ASO and WO regarding Director Caswell conference call on 12/7/07 and ACHP consultation.

December 7, 2007	Conference call between BLM KFO, ASO and WO. Elaine Zielinski and Mike Taylor briefed Director Caswell regarding ACHP consultation.
December 17, 2007	Memo to BLM Director from AZ State Director with draft letter to ACHP from BLM Director requesting termination of ACHP consultation and justification.
<u>2008 - KFO</u>	
May 21, 2008	Congressional inquiry from Senator John McCain in response to constituent Ron Lew inquiry.
June 11, 2008	Response to Senator McCain inquiry from State Director. BLM is taking steps to formally terminate consultation with ACHP and complete the Section 106 process.
June 27, 2008	Letter from BLM Director Jim Caswell to FMIT Chairman Timothy Williams regarding completing the Section 106 process through formal termination of ACHP consultation and requesting comments or additional alternatives that need to be explored. No deadline.
July 3, 2008	Mike Taylor, Ruben Sanchez and Joyce Cook all were contacted by Larry Adams advising Tri-State members would be making daily phone calls to the BLM Deputy Director to stimulate a response. They would also be inviting BLM, AGFD, Trent Franks to their next monthly meeting on August 5 to explain why it has taken so long to make a decision.
August 6, 2008	Letter from Members of Congress Trent Franks, Gabrielle Giffords and Harry Mitchell expressing concerns regarding the decreasing opportunity for recreational shooting on BLM lands and the limited number of shooting facilities available in Arizona. IM 2008-074 regarding Authorizations and Disposals, Shooting Sports attached.
August 28, 2008	Letter from BLM State Office to Representative Trent Franks replying to August 6, 2008 letter regarding policy regarding decreasing the opportunity for recreational shooting on BLM land and the limited number of dedicated shooting facilities available in Arizona.
September 15, 2008	Letter from BLM Director Caswell to ACHP terminating consultation and requesting final comments.
October 16, 2008	Letter from ACHP to BLM Director Caswell regarding request for termination of consultation and the ACHP would provide comments by November 3, 2008. There would be separate meetings on October 21, 2008 in Phoenix with BLM/AGFD, Arizona SHPO, FMIT and Hualapai Nation. Public comments were also being solicited with a deadline of October 28, 2008.
October 17, 2008	Federal Register Notice Vol. 73, No. 202, Page 61777. ACHP seeking public input regarding BLM's Proposed Plan Amendment and R&PP Disposal for shooting range.
October 27, 2008	Letter from the AGFD to the ACHP supporting BLM's request to terminate consultation and providing rationale why the Section 106 process should be terminated.
November 3, 2008	Letter from ACHP to DOE Secretary Kempthorne conveying final ACHP comments for the shooting range.

2009 - KFO

January 16, 2009	Letter from BLM Director Caswell to ACHP Chairman Nau advising BLM has decided to approve the shooting range subject to measures to minimize potential adverse effect on Boundary Cone Butte.
February 12, 2009	Letter from Hualapai Tribal Chairman Whatanome to Secretary of Interior Salazar regarding last-minute Bush Administration decision and acting Director's signature violating the spirit and letter of the law.
February 16, 2009	Letter from FMIT to Secretary of Interior Salazar regarding last-minute Bush Administration decision and acting Director's signature violating the spirit and letter of the law.
February 26, 2009	Letter from the ACHP to Secretary of Interior Salazar stating this case highlights missteps in BLM's Sec. 106 consultation process and underscores the importance of developing effective consultation strategies with Indian tribes. Recommend BLM continue government to government consultation.
April 23, 2009	Letters from BLM Director to ACHP, FMIT and Hualapai Tribe regarding formal termination of Sec. 106 consultation. Decision has not yet been made. BLM will continue government to government consultation.
April 27, 2009	HR 2100 for conveyance of shooting range from BLM to AGFD introduced by Trent Franks, referred to Committee on Natural Resources.
May 18, 2009	BLM SD and CRDM meeting with FMIT. BLM hasn't taken tribal concerns into consideration. Four concerns were expressed by the FMIT as 1) an alternative location, 2) size of footprint, 3) duration of use and overlap of activities within smaller footprint, and 4) noise. BLM will continue discussions with the Tribe concerning mitigation measures prior to final decision.
May 29, 2009	Morning meeting. BLM SD, DSD Resources, CRDM & Assistant, KFM, AFMS & Archaeologist meet with AGFD and Tri-State Shooting Recreation Center. SD tribal discussion included alternate locations, minimizing footprint, duration of use and noise impacts, cleared circle. Range could provide cultural interpretation, continual noise monitoring will be incorporated, black outs during tribal events could be incorporated, natural contours will be used to conceal and muffle sound, protective fencing. Disturbance footprint consists of approximately 20 acres. Katherine range on NPS would be closed in the near future.
May 29, 2009	Afternoon meeting. BLM SD, CRDM and Assistant and KFM met with the FMIT. SD advised the footprint would be approximately 20 acres, Katherine range would be closed soon, commitment to stay below state standard for noise, will be monitored continually and shared with tribe, protective fencing for cleared circle and provide for closures during tribal events. Information kiosk for Boundary Cone and tribe is also available. Tribe concerned noise studies not reliable, landscape issues such as runoff, not the right place, consider alternate locations, limit cut and fill. Fail in stewardship capacity. Can't

support construction. EA has insufficient information about Boundary Cone and its importance, should be EIS, select No Action alternative, lack of ethnographic study. Would file FOIA requesting tribal information. Consider alternate location.

June 8, 2009	BLM Archaeologist Craig Johnson met with Linda Otero, Director of Aha Makav Cultural Department (FMIT) at the Boundary Cone Road site. Relayed Tribe is not opposed to a shooting range, only at this location. This project at this site would have significant cultural impacts.
June 22, 2009	BLM SD, CRDM and KFM met with FMIT. Tribe recommended —no build” alternative. Final position on Boundary Cone Road location. Would support Alt. #3, further north the better. Slide presentation prepared by KFO during ACHP visit slanted against tribe.
June 22, 2009	BLM SD, CRDM, KFM, AGFD and TSRC. Alt. 3 within Bullhead City limits and not viable. LHFO will review issues with Alt. 3. KFO will review issues with Alt. 5. If a new site is selected, the process would begin over again. Incorporate tribal discussions in DR and have Craig refine notes from meeting with Linda Otero and incorporate into DR.
July 13, 2009	Meeting between Becky Heick CRDM and FMIT Chairman Williams to discuss Alternatives 3 and 5. He could understand not pursuing Alt. 3 surrounded by private land and occupied by a waste water treatment plant. Alt. 5 may have merit due to proximity to landfill but would like Felton Bricker input on it. Chairman Williams would provide a response to SD Kenna by July 27, 2009.
July 14, 2009	Meeting between AZSD Kenna and ASLD Commissioner Anable regarding Alternative 5 east of the landfill and State land. Anable advised exception to one mile buffer would be considered if the FMIT committed to Alt. 5 being viable.
July 22, 2009	KFO Archaeologist Craig Johnson hand delivered a map of all alternatives, a copy of the 2006 EA and a copy of proposed wording to be incorporated into the EA regarding the importance of Mohave Valley to FMIT.
August 5, 2009	Conference call between AZSD Kenna, CRDM Heick and FMIT Chairman Williams regarding availability of public land north Camp Mohave Road or Alternative 5. BLM requested a decision letter from the FMIT by August 13, 2009 as to whether or not they could support Alternative 5. Chairman Williams agreed to provide letter.
August 6, 2009	Conference call between AZSD Kenna, CRDM, KFM, Larry Adams and Pat Otto. FMIT Chairman expected to have a letter to AZSD within a week regarding what location may be acceptable to the tribe. Tribe is not OK with Boundary Cone Road location but if a decision is made on that location incorporate mitigation for their concerns. Tribe is looking at Alternative 5. Larry advised all of those sections north of Camp Mohave Road had been considered and many were encumbered with mining claims. What is State’s position? State is willing to talk about an exception to the one mile buffer if there is a letter from commitment from the tribe. If Alternative 5 is acceptable, an EA should be able to be completed within a year.
August 13, 2009	Letter from FMIT Chairman Williams. Recommended —no build” at Boundary Cone Road location. Preferred a site north of Camp Mohave Road east of the Bullhead Bajada ACEC (LHFO) subject to Sec. 106 and NEPA process.

August 17, 2009	Telephone conversation between Becky Heick CRDM and Chairman Williams re: Aug. 13 letter. Discussed Alternative 5. Tribe cannot support or commit to a location until Sec. 106 and NEPA process has been followed.
August 18, 2009	Position paper from the TSRC to BLM SD. Provided summary and background. BLM has done more to accommodate tribal concerns costing more time and money. Process has been followed. Requested a decision be made.
December 3, 2009	On-site meeting with AGFD representatives and Casey Hammond, Republican Legislative Staff, Committee on Natural Resources, and Ruben Sanchez and Joyce Cook of BLM. Casey was gathering information regarding the site and issues in consideration of HB 2100.
February 3, 2010	Letters to AZ SD and BLM Director from President of the TSRC expressing displeasure with the process. Decision or notification requested by February 17, 2010.
February 3, 2010	AZ SD, CRDM and KFM met with FMIT Chairman Williams and Linda Otera and AGFD Region 3 Director Bob Posey. AZ SD relayed the Decision Record would be signed on Monday February 8, 2010 and went over the mitigation measures that would be included. Chairman Williams expressed disappointment. AGFD expressed concern with 20 acre limitation.

MEETINGS

ID Team Meetings: 10/31/02, 11/20/02, 12/11/02, 1/8/03, 1/29/03, 2/18/03, 3/24/03, 5/1/03, 6/10/03, 8/4/03, 9/9/03, 10/23/03, 11/13/03, 1/20/04, 2/2/04, 5/10/04, 5/28/04. The purpose of these meeting is to identify what input is needed by various team members in the process, assure the input is provided and review status of the project.

Tri-State Shooting Recreation Center, Inc. Meetings:

4/4/00, 5/3/00, 7/5/00, 8/2/00, 3/14/01, 4/4/01, 5/2/01, 6/6/01, 12/5/01, 3/6/02, 4/3/02, 5/1/02, 6/5/02, 7/10/02, 8/7/02, 9/4/02, 10/2/02, 11/6/02, 12/4/02, 1/8/03, 2/5/03, 3/5/03, 4/2/03, 5/7/03, 6/4/03, 7/2/03, 8/6/03, 9/3/03, 11/5/03, 12/3/03, 1/7/04, 2/4/04, 3/3/04, 4/7/04, 5/5/04, 7/7/04, 8/4/04, 9/12/04, 10/6/04, 11/3/04, 12/1/04, 1/5/05, 2/2/05, 3/2/05, 4/6/05, 5/4/05, 6/1/05, 7/6/05, 8/3/05, 9/7/05, 10/5/05, 11/2/05, 12/7/05, 1/4/06, 2/1/06, 3/1/06, 4/5/06, 5/3/06, 6/7/06, 7/5/06, 8/2/06, 9/6/06, 10/4/06, 11/1/06, 1/3/07, 2/7/07, 3/7/07, 4/4/07, 5/2/07, 6/6/07, 7/11/07. The purpose of these meetings is to keep those interested in the range development up to date on the progress.

NEWSPAPER ARTICLES

Arizona Republic newspaper article dated August 22, 1999 —“Billhead City Range on Fast Track”.

Mohave Valley Daily News newspaper article dated September 8, 1999 —“Public Shooting Range is Proposed”.

Arizona Republic newspaper article dated March 26, 2000 —“Not Everyone Fired Up for Shooting Range Idea”.

Mohave Valley Daily News newspaper article dated February 8, 2001 —~~Proposed~~ Ft. Mojave gun range discussed”.

Mohave Valley Daily News newspaper article dated June 25, 2001 —~~Eds~~ Seek Public Input on Proposed Shooting Range”.

Mohave Valley Daily News newspaper article dated September 5, 2001 —~~Shooting~~ Range to be Discussed”.

Mohave Valley Daily News newspaper publications of Federal Register notice in legal notices: 3/26/03, 4/2/03, and 4/9/03. 12/13/03 article —~~Federal~~ study finds no significant environmental impact”, public review EA availability and comment period ending 1/14/04.

Bullhead City Bee newspaper publications of Federal Register notice in legal notices: 3/28/03, 4/4/03, and 4/11/03.

Other newspaper articles: 3/26/03, 4/16/03, and 4/20/03.

Mohave Valley Daily News newspaper publications of Federal Register notice in legal notices: 6/21/06, 6/28/06 and 7/5/06. 6/26/06 article —~~Shooting~~ Range Proposed for Mohave Valley” identifying Boundary Cone Road and Willow Road locations and 30-day protest/45-day comment periods providing Washington address for expressing opinions.

Bullhead City Bee newspaper publications of Federal Register notice in legal notices: 6/23/06, 6/30/06 and 7/7/06.

Article in Mohave County Economic Development Journal July 2006 Issue: —~~BM~~ Considering Shooting Range in Mohave Valley.”

Article in Mohave Valley News August 13, 2006: —~~Mohave Valley~~ Shooting Range Under Consideration”. Formal decision could take up to 6 months, 2 letters of against and 4 letters in support of the range. Opposition letters dismissed for not following protest procedures.

Article in Mohave Valley News August 21, 2008: —~~Long~~ Quest to Build a Shooting Facility in the Valley Continues”. Tri-State Shooting Recreation Center, Inc. frustrated after 10 years. Tied up at the BLM in Washington DC. FMIT Indian Tribe able to veto any site citing preservation of their heritage as reason. Tri-State Shooting Recreation Center looking to change the process dictated to BLM by Congress. Representative Trent Franks and Senators Jon Kyl and John McCain are working on an alternate solution. Bullhead City Police Department estimates additional cost of \$5000 per year to travel to Needles, CA.